



General Assembly

Distr.: General
6 December 2007

Original: English

Sixty-second session
Agenda item 129

Programme planning

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya Nkayivu (Uganda)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2007, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-second session the item entitled "Programme planning" and to allocate it to the Fifth Committee.
2. The Fifth Committee considered the item at its 12th and 21st meetings, on 29 October and 6 December 2007. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/62/SR.12 and 21).
3. For its consideration of the item, the Committee had before it the report of the Committee for Programme and Coordination on the work of its forty-seventh session¹ and the report of the Secretary-General on the experience gained in the planning and budgeting process (A/62/81).
4. At the 12th meeting, on 29 October 2007, the Chairman of the Committee for Programme and Coordination introduced the report of that Committee (see A/C.5/62/SR.12).

II. Consideration of draft resolution A/C.5/62/L.7

5. At its 21st meeting, on 6 December, the Committee had before it a draft resolution entitled "Programme planning" (A/C.5/62/L.7), submitted by the Chairman on the basis of informal consultations coordinated by the representative of Malawi.

¹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 16 (A/62/16).*



6. At the same meeting, the Committee adopted draft resolution A/C.5/62/L.7 without a vote (see para. 8).

7. Before the adoption of the draft resolution, the representative of the United States of America made a statement in explanation of position; after the adoption of the draft resolution, the representative of Japan, and the representative of Pakistan, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, made statements in explanation of position (see A/C.5/62/SR.21).

III. Recommendation of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 38/227 A of 20 December 1983, 41/213 of 19 December 1986, 55/234 of 23 December 2000, 56/253 of 24 December 2001, 57/282 of 20 December 2002, 58/268 and 58/269 of 23 December 2003, 59/275 of 23 December 2004, 60/257 of 8 May 2006 and 61/235 of 22 December 2006,

Recalling also the terms of reference of the Committee for Programme and Coordination, as outlined in the annex to Economic and Social Council resolution 2008 (LX) of 14 May 1976,

Having considered the report of the Committee for Programme and Coordination, on the work of its forty-seventh session¹ and the report of the Secretary-General on experience gained in the planning and budgeting process,²

1. *Reaffirms* the role of the Committee for Programme and Coordination as the main subsidiary organ of the General Assembly and the Economic and Social Council for planning, programming and coordination;

2. *Re-emphasizes* the role of the plenary and the Main Committees of the General Assembly in reviewing and taking action on the appropriate recommendations of the Committee for Programme and Coordination relevant to their work, in accordance with regulation 4.10 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;³

3. *Stresses* that setting the priorities of the United Nations is the prerogative of the Member States, as reflected in legislative mandates;

4. *Also stresses* the need for Member States to participate fully in the budget preparation process, from its early stages and throughout the process;

5. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the review of the efficiency of the administrative and financial functioning of the United Nations, on programme planning, on evaluation, on the annual overview report of the United Nations System Chief Executives Board for Coordination for 2006/07, on United Nations system support for the New Partnership for Africa's Development and on improving the working methods and procedures of the Committee for Programme and Coordination within the framework of its mandate;⁴

¹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 16 (A/62/16).*

² A/62/81.

³ ST/SGB/2000/8.

⁴ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 16 (A/62/16),* chaps. II, III.A and C, IV.A and B and V.

6. *Decides* to discontinue preparation of the report under the agenda item entitled "Review of the efficiency of the administrative and financial functioning of the United Nations", mandated in accordance with its resolution 45/254 A of 21 December 1990;

7. *Stresses* the urgent need to fill the position of Special Adviser on Africa in order to direct international efforts to ensure that African issues remain a priority on the global development agenda and the need to mobilize support for capacity and resources and to align funds, agencies and programmes to the objectives of the New Partnership for Africa's Development that underpin the consolidation of peace and democracy on the continent;

8. *Emphasizes* that, in full accordance with its mandate to assist the Economic and Social Council and the General Assembly on coordination, the Committee for Programme and Coordination should enhance its coordination role through improved cooperation with the secretariat of the Chief Executives Board and the Joint Inspection Unit, in order to increase planning efficiency and effectiveness so as to continue to ensure the timeliness of the implementation of, and prevent duplication and redundancy in, the action of the Organization;

9. *Welcomes* the intention of the Committee for Programme and Coordination to enhance its dialogue on coordination issues with the Joint Inspection Unit and the secretariat of the Chief Executives Board;

10. *Recalls* regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,³ and reiterates that the Committee for Programme and Coordination shall continue to perform its role in reviewing the strategic framework and recommend any necessary changes to the Economic and Social Council and the General Assembly;

11. *Reaffirms* the role of the Committee for Programme and Coordination in monitoring and evaluation, and encourages the Committee, in reviewing performance and evaluation reports, to provide, inter alia, action-oriented recommendations aimed at enhancing the effectiveness and impact of the activities of the Organization;

12. *Reiterates its requests* to the Secretary-General to submit to the General Assembly at its sixty-second session proposals to improve the links between monitoring, evaluation, programme planning and budgeting;

13. *Invites* the Economic and Social Council to utilize the relevant conclusions and recommendations of the Committee for Programme and Coordination when considering related reports of the Chief Executives Board;

14. *Welcomes* the decision by the Committee for Programme and Coordination to devote one or two meetings of its future sessions to a discussion, with high-level participation, of a specific issue in its programme of work related to coordination, and in this regard emphasizes the need for the presence of senior programme managers to assist the Committee in its deliberations;

15. *Also welcomes* the work done by the Committee for Programme and Coordination in improving its working methods and procedures within the framework of its mandate for further enhancing its effectiveness and efficiency, and

looks forward to the implementation of the decisions of the Committee in order to continue improving its working methods and procedures.



General Assembly

Distr.: General
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Original: English

Sixty-second session
Agenda item 135

United Nations common system

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2007, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-second session the item entitled "United Nations common system" and to allocate it to the Fifth Committee.
2. The Fifth Committee considered the item at its 8th and 21st meetings, on 23 October and 6 December 2007. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/62/SR.8 and 21).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the International Civil Service Commission for 2007;¹
 - (b) Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly concerning the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2007 (A/62/336);
 - (c) Report of the Advisory Committee on Administrative and Budgetary Questions on the statement submitted by the Secretary-General concerning the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2007 (A/62/7/Add.1 and Corr.1).

¹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 30 and corrigendum (A/62/30 and Corr.1).*



II. Consideration of draft resolution A/C.5/62/L.6

4. At its 21st meeting, on 6 December, the Committee had before it a draft resolution entitled "United Nations common system: report of the International Civil Service Commission" (A/C.5/62/L.6), submitted by the Chairman of the Committee on the basis of informal consultations coordinated by the representative of the Bolivarian Republic of Venezuela.

5. At the same meeting, the Committee adopted draft resolution A/C.5/62/L.6 without a vote (see para. 7).

6. The recommendation of the Fifth Committee on the statement submitted by the Secretary-General on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2007 (A/62/336) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/62/7/Add.1 and Corr.1) will be contained in the report of the Fifth Committee on agenda item 128, entitled "Proposed programme budget for the biennium 2008-2009".

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Recalling its resolutions 44/198 of 21 December 1989, 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000, 56/244 of 24 December 2001, 57/285 of 20 December 2002, 58/251 of 23 December 2003, 59/268 of 23 December 2004, 60/248 of 23 December 2005 and 61/239 of 22 December 2006,

Recalling also paragraph 8 of its resolution 61/274 of 29 June 2007,

Having considered the report of the International Civil Service Commission for the year 2007,¹

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Reaffirming the statute of the Commission² and the central role of the Commission and the General Assembly in the regulation and coordination of the conditions of service of the United Nations common system,

1. *Takes note with appreciation* of the work of the International Civil Service Commission;

2. *Takes note* of the report of the Commission for 2007,¹ and decides to consider the recommendations contained in paragraph 21 of the report under the agenda items relating to the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991;

3. *Reiterates* its invitation to the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to urge the heads of the organizations of the United Nations common system to fully support the work of the Commission, in conformity with its statute,² by providing it with relevant information in a timely manner for studies that it conducts under its statutory responsibilities for the common system, as well as by other possible means;

¹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 30 and corrigendum (A/62/30 and Corr.1).*

² Resolution 3357 (XXIX), annex.

I**Recommendations of the International Civil Service Commission that call for decisions by the General Assembly****A. Conditions of service of staff in the Professional and higher categories****1. Evolution of the margin**

Recalling section 1.B of its resolution 51/216 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

1. *Notes* that the margin between net remuneration of the United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C., for the period from 1 January to 31 December 2007 is estimated at 114.0 and that the average margin level for the past five years (2003-2007) stands at 112.3;

2. *Reaffirms* that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

2. Base/floor salary scale

Recalling its resolution 44/198, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service),

Approves, with effect from 1 January 2008, as recommended by the Commission in paragraph 30 of its report,¹ the revised base/floor scale of gross and net salaries for staff in the Professional and higher categories contained in annex III to the report;

B. Conditions of service applicable to both categories of staff: language incentive

Takes note of the recommendations of the Commission contained in paragraph 65 of its report;¹

II**Strengthening of the international civil service**

1. *Reaffirms* that the staff of the United Nations is an invaluable asset of the Organization, and commends its contribution to furthering the purposes and principles of the United Nations;

2. *Welcomes* the steps taken by the Commission to strengthen its role and improve its functioning, as set out in paragraphs 68 to 72 of its report,¹ and encourages the Commission to continue this process.

**General Assembly**

Distr.: General
5 December 2007

Original: English

Sixty-second session

Agenda item 71(a)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: strengthening of the coordination of emergency humanitarian assistance of the United Nations

Letter dated 30 November 2007 from the Secretary-General to the President of the General Assembly

I wish to transmit herewith the attached note on the outcome of the meeting of the Advisory Group of the Central Emergency Response Fund, which took place in Geneva on 25 and 26 October 2007 (see annex).

In accordance with General Assembly resolution 60/124 of 15 December 2005, the Advisory Group was established to advise the Secretary-General on the use and impact of the Fund.

The note summarizes the key points raised during the meeting on both the management of the Fund and its effect on humanitarian operations on the ground. I would like to draw your attention to the recommendation of the Advisory Group that greater effort be placed on increasing donor contributions and obtaining additional multi-year commitments to ensure that the target of US\$ 500 million is achieved by 2008. The Advisory Group stressed that Member States, including permanent members of the Security Council, should make every effort to achieve this funding target. I fully endorse this recommendation and urge Member States to contribute generously to the Fund.

I would be grateful if you would bring the present letter and its annex to the attention of the Member States, ahead of the upcoming high-level conference on the Central Emergency Response Fund, scheduled for 13 December 2007 in New York.

(Signed) **Ban Ki-moon**



Annex

Note by the Advisory Group of the Central Emergency Response Fund on the fourth meeting of the Group, held at Geneva on 25 and 26 October 2007

The Advisory Group was established by the General Assembly, in its resolution 60/124 of 15 December 2005, to advise the Secretary-General through the Under-Secretary-General for Humanitarian Affairs, on the use and impact of the Central Emergency Response Fund (CERF). In its fourth meeting, which took place on 25 and 26 October in Geneva, the Advisory Group followed-up on programmatic, administrative and financial issues as well as outstanding challenges since its last meeting in May 2007, reviewed the terms of reference for the two-year evaluation on the Fund, and discussed a wide-range of issues regarding the timeliness and appropriateness of fund allocations, performance, accountability and transparency.

Further to those issues elaborated in the note from its third meeting, the Advisory Group made the following observations and conclusions based on a briefing by the Under-Secretary-General for Humanitarian Affairs as Manager of the CERF, and discussions with Humanitarian/Resident Coordinators (HC/RCs) based in Chad and Côte d'Ivoire and the Head of the OCHA Office in Democratic Republic of Congo. The Group also took part in a video conference with the Office of the UN Controller in New York, and an exchange with representatives of the Inter-Agency Standing Committee (IASC) in Geneva.

1. The Advisory Group took note of the funding levels of the CERF and welcomed the broad donor base, which augured well for a global ownership of the Fund. The initiative of the Under-Secretary-General for Humanitarian Affairs to further broaden the donor base through private sector support was also welcomed. Greater effort needed to be placed on increasing donor contributions and obtaining additional multi-year commitments to ensure that the target of United States dollars (\$500 million is reached by 2008 so that the Fund becomes sustainable in the longer run. The Advisory Group recommended that the Secretary-General calls upon Member States, including Permanent Members of the Security Council, to make every effort to achieve this funding target by 2008.¹
2. The Advisory Group reviewed the use of the loan and grant elements and took note of allocations made from the rapid response and underfunded emergencies window in 2007, totaling United States dollars (\$311 million. While members welcomed the newly established guidelines on life-saving criteria and their contribution to improved predictability, transparency and efficiency of the Fund, they suggest that similar clarity was need in the case of CERF allocations destined for underfunded or neglected crises. Furthermore, a tool for the classification of the severity of crises would benefit the rapid response window of the CERF. Members raised the possibility of using the CERF in cases of sudden onset pandemics of an emergency type and agreed that there be a discussion about the merit of the use of CERF for rapid on-set pandemics in the next meeting of the Advisory Group. Members further cautioned against funding crises that are a result of long-standing structural problems, which serve to erode humanitarian funding as they are developmental in nature. The Advisory Group recommended that CERF funding, as a last resort, should be made available for instant or renewed needs assessments prior to submission of a multi-sector CERF request.

¹ The target funding level of \$500 million includes the CERF loan component which was established by the General Assembly in its resolution A/61/134 of 14 December 2006.

3. The Advisory Group reviewed the use of the CERF in responding to the immediate needs captured in Flash Appeals. On average, CERF provided about half of the donor contributions to 13 of 14 Flash Appeals launched in 2007. While the CERF contributions enabled operational partners to quickly scale-up response efforts, the Advisory Group urged that guidelines be developed to ensure the proper sequencing of CERF requests in relation to the development of Flash Appeals in order to allow for the most effective use of CERF's resources and ensure that CERF does not replace Flash Appeals.
4. The Advisory Group took note of examples where the development of CERF requests has led to the improvement of capacity of partners and created incentives for more active participation in coordination structures. While the CERF has enabled HC/RCs to quickly address critical and unforeseen needs, challenges continue to be faced in ensuring a well-prioritized process based on needs and not the mandates of operational partners. In this regard, more emphasis should be placed on improving humanitarian coordination processes and the active involvement of all relevant partners, including local and international non-governmental organizations (NGOs) and government counterparts. It was recommended to consider the allocation of funds for national NGOs when an allocation could be made on the programmatic level rather than the project level. This would positively impact on the development of CERF requests by ensuring an inclusive and appropriate articulation of needs, response priorities and roles and responsibilities. The Advisory Group commended the CERF Secretariat for the establishment of the CERF Partnership Taskforce – consisting of UN agencies and NGO representatives – and looks forward to its recommendations.
5. Moreover, the Advisory Group pointed out that more work needed to be done at the field level to ensure that identified and funded priority needs are based on comprehensive and recent needs assessments. Refining existing needs analysis frameworks and improving needs assessment tools and their effective use across crises, would be beneficial to the CERF in ensuring a better evidence base for decision-making. HC/RCs should also place greater emphasis on pre-disaster planning to identify the gaps in critical needs and ensure the effectiveness of resources. In countries with other pooled funds, more attention should be placed on coordinating the processes and allocations to ensure an effective use of existing resources.
6. As the CERF has been used in over 50 countries, the Advisory Group encouraged the Under-Secretary-General for Humanitarian Affairs to place greater emphasis on ensuring that the elements of the UN and Humanitarian Reform are properly understood and firmly entrenched at the field level, especially in disaster prone countries led by Resident Coordinators. The Group noted that the CERF had the potential to be a catalyst in three areas of reform: in the overall humanitarian response, in the UN delivery approach at country level, and in management and decision making.
7. When reviewing the administrative costs associated with the Fund, the Advisory Group noted with appreciation that the costs of the CERF Secretariat were being covered by the three percent programme support rate charged by the UN Secretariat. While they welcomed the addition of seven posts to the CERF Secretariat, the Group concluded that further posts were necessary to properly manage the Fund. The Advisory Group also took note of the ongoing effort to harmonize the financial reporting format among the entities of the UN system and expressed interest in receiving more detailed information regarding the upcoming report to the Fifth Committee on the reform of the administration of trust funds.
8. The Advisory Group took note of concerns expressed by UN programmes, funds and agencies and the International Organization for Migration (the participating agencies), particularly the high transaction costs of the CERF due to the differences between the legal and administrative frameworks of the Fund

and the participating agencies, cumbersome project-level funding, and the limitations of the system to channel funds quickly from participating agencies' headquarters to the field. They requested that the participating agencies provide empirical evidence to illustrate the high transaction costs of the CERF. The Group also urged the Under-Secretary-General for Humanitarian Affairs to encourage the Principals of the IASC to provide greater clarity on the costs included in the programme support charges, which presently stand at seven percent, in order to bring greater transparency to the use of resources.

9. The Advisory Group pressed for the prompt finalization of the umbrella Letter of Understanding (LoU), which would speed up the disbursement of funds and noted that it has taken a considerable amount of time to get this framework in place. As part of the two-year evaluation on the CERF, the Advisory Group requested that a flow of funds analysis be conducted on a sample basis to better understand the time lags encountered in the disbursement of funding to the level of the beneficiary. This should be complemented with the conduct of a series of real-time evaluations to review the performance of the CERF.
10. The Advisory Group observed that NGOs continued to have concerns regarding direct access to the Fund, as well as the time-consuming sub-agreement procedures and disbursement arrangements of participating agencies. Members recommended that the relationship and the flow of funds from CERF to country level pooled funds, like Emergency Response Funds (ERFs), be strengthened in order to ensure that resources are available for activities implemented by NGOs. The Advisory Group requested that the Secretary-General encourages an improvement in the partnership arrangements of participating agencies through the development of streamlined sub-agreement arrangements and pre-approval procedures for NGOs.
11. The Advisory Group discussed the merits and drawbacks of project-level allocations from the Fund. The Advisory Group called upon the Under-Secretary-General for Humanitarian Affairs to work with the Principals of the IASC to harmonize UN reporting systems and to create a country-level information management system to allow for systematic and output-oriented reporting, which would be in line with the principles of "delivering as one". This system would enable the participating agencies to properly report to HC/RCs as well as the Manager of the CERF on the delivery and the impact of funding, which would in turn enable more "programme-focused" CERF allocations.
12. Closely linked to the improvement of reporting and information management frameworks is the development of accountability tools to enable the HC/RCs to monitor the sound use of resources requested from the CERF. The Advisory Group observed that the channeling of resources through agency headquarters to field offices has limited the HC/RCs' ability to coordinate the monitoring of funding decisions made at the country level. The Advisory Group asked the Secretary-General to explore options to improve field level accountability by enabling the HC/RCs to have a stronger role in joint programming. The Advisory Group underscored the importance of strengthening the role of the HC in particular and welcomed the fact that the IASC has supported the revision of the terms of reference for HCs to reflect their responsibilities with respect to humanitarian financing tools, particularly the CERF.
13. The Advisory Group encouraged progress towards the finalization of an output-oriented performance and accountability framework as well as renewed emphasis on the creation of a standardized reporting and monitoring framework by 2008, focusing on outputs and achievements. Members of the Advisory Group requested that the CERF Secretariat continue to make additional improvement through the streamlining and rationalization of administrative procedures.

14. In reviewing the terms of reference for the two-year evaluation of the Fund, the Advisory Group observed that the evaluation should assess the extent to which the CERF has generated additional resources for humanitarian response and the potential for successful resource mobilization from new donors, which would serve to expand ownership of the CERF. They also noted that activities funded from the rapid response and underfunded windows should be assessed to determine the extent to which there is a clear distinction between the two categories, including the established ration between the two windows. In addition, the evaluation should address the sustainability of CERF funded activities, the scope for CERF funding to regional response efforts, the relevance of the loan element, and the potential for reimbursements of CERF grants in situations where agencies have been subsequently fully funded. In the two year of CERF existence, there has been a trend in variation of both sectoral and geographical needs. The evaluation should analyze such trends and the consequences for CERF operations and management. Finally, the Group noted that it was important that all donors to CERF were kept equally informed about progress and status of the evaluation as well as the Fund's operations.
15. The Advisory Group agreed that following its next meeting in May 2008, a third of the members of the Group will rotate. It was agreed that the Secretary-General should have freedom to review the merits of the Advisory Group, its terms of reference and composition, as well as its continued work.



General Assembly

Distr.: General
6 December 2007

Original: English

Sixty-second session

Agenda item 70 (c)

**Promotion and protection of human rights: human
rights situations and reports of special rapporteurs
and representatives**

**Letter dated 4 December 2007 from the Permanent Representative
of Israel to the United Nations addressed to the Secretary-General**

Upon instructions from my Government, I have the honour to convey herein Israel's response (see annex) to the report dated 17 August 2007, submitted by Mr. John Dugard, Special Rapporteur to the Human Rights Council (A/62/275).

I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda item 70 (c).

(Signed) Dan **Gillerman**
Ambassador
Permanent Representative



Annex to the letter dated 4 December 2007 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

Response of Israel to the report dated 17 August 2007 submitted by Mr. John Dugard, Special Rapporteur to the Human Rights Council (A/62/275)

General

The latest report of the Special Rapporteur follows its predecessors in letter and tone in the approach it takes to the region. Its findings, like those of the reports that came before it, are predetermined and, indeed, large portions of the text have been borrowed from its predecessors. Moreover, the current report was prepared without the Special Rapporteur visiting our region and, thus, many of his conclusions are based on hearsay and unsubstantiated second-hand reports.

Regrettably, the report insists on viewing a complex situation through the simplest of prisms, one in which one side has only rights and the other has only obligations; one in which one side has a monopoly over victimhood, while the other is demonized and censured. Indeed, while the Special Rapporteur calls upon the Quartet to adopt a "fair and even-handed approach to the respective positions of Israel and the Palestinians", the approach adopted by the Special Rapporteur in crafting this report is anything but "fair" or "even-handed". In the narrow perspective of the Rapporteur, the terrorism and violence emerging from Palestinian areas simply do not exist, or at most are of little consequence, and as a result, any measure undertaken by Israel to protect its civilians can only be illegitimate or disproportionate.

In order to advance this one-sided perspective, the report presents a collage of misrepresentations and misstatements of both fact and law. Many of these are restatements of allegations made in prior reports – yet even when these have been demonstrably shown to be false, either in Israel's responses to previous reports, or by retractions made by those cited as authorities, they continue to be asserted without reservation. For example, the Rapporteur cites at length a report published in 2006 by Peace Now regarding land ownership in the West Bank, but fails to note that the organization issued a corrected report due to the fact that the original report, upon which the Special Rapporteur's findings are based, was rife with factual errors.

Beyond the factual and legal errors in the report, this latest report brings into clear focus the political and ideological agenda of the current Rapporteur, which, troublingly, places him at odds with established norms of human rights and international humanitarian law and, in effect, legitimizes some of the gravest violations of international law. It is a cause for serious concern that that a UN-appointed official with responsibilities in the sphere of human rights publicly advocates positions that so fundamentally diverge from universally-accepted humanitarian principles and which, in effect, condone some of the most serious abuses of human rights.

Legitimization of terrorism

In his prior reports, the current Rapporteur had demonstrated a reluctance to condemn terrorism, suggesting that there is currently no legal basis for censuring suicide terrorism (which at most violates an "emerging norm of international law"), and hinting at a sneaking admiration for those firing kassam missiles on civilians as "demonstrating daring and prowess". However, the current report, the Rapporteur breaks new ground in legitimizing acts of terrorism against civilians.

In clear opposition to the repeated UN resolutions that declare that terrorism is unjustifiable no matter what the cause it purports to advance, the Rapporteur advances the position that terrorism is a "relative concept", particularly in the context of occupation. It is difficult to square such a relativistic approach with a condemnation of terrorism in all circumstances. As the Rapporteur himself wrote in 1977: "If the most brutal acts of terrorism directed at innocent civilian targets are permitted when committed by members of a "liberation movement", human rights will suffer a severe setback at the hand

of international law"¹. And yet, in his current incarnation, the Rapporteur consistently demonstrates a deliberate blindness to the perpetration and glorification of acts of terrorism by groups on the Palestinian side.

The report goes on to compare Palestinian terrorists with resistance fighters throughout history, warning that "today such resistance fighters are seen as heroes and patriots. This is the inevitable consequence of resistance of occupation." It is unclear what is "heroic" about the Hamas terrorist organization and the dictates of its official charter, which, in no uncertain terms, calls for the complete annihilation of the State of Israel. The Special Rapporteur, rather than condemn such violent ambitions, adopts an approach which legitimizes organizations like Hamas while blaming the victim of Hamas' reign of terror – the State of Israel. Moreover, the Rapporteur refuses to recognize any distinction between Hamas and its likes and moderate Palestinians opposed to the use of terrorism and committed to a peaceful resolution of our conflict.

In his disregard for the question of the legitimacy of an avowed terrorist organization, the Rapporteur places himself in staunch opposition to the international community and, in particular, the Quartet comprising the UN, the EU, the United States and Russia, which have established clear conditions for granting legitimacy to any Palestinian leadership. In the eyes of the Rapporteur, however, by holding fast to such standards, the international community is pursuing, "...a divisive policy of preferring one faction over the other". Such assessments not only far exceed his mandate, but also undermine any claims that the report is objective in its findings.

In a similar vein, the Rapporteur determines that the prisoners held by Israel are "political prisoners" suggesting that these are individuals being detained for their political or ideological views, and not their active involvement in acts of violence and terrorism. Indeed, if these individuals are merely political prisoners, one is left to wonder at whose hand thousands of Israeli civilians have been murdered and wounded in the years of Palestinian terror.

In this context, it is interesting to note that, "... from a doctrinal point of view, the international terrorist does **not** fall within the category of political offender. When a person commits an act which threatens the stability of other states or undermines the international order, he ceases to be a political offender and becomes a criminal under international law, like the pirate or hijacker"². [*Emphasis added*]. This clear statement of international law is taken from an article authored by the Rapporteur himself in 1973.

Proportionality

As he has done in several past reports, the Special Rapporteur labels Israeli actions in self-defense as disproportionate, but as he has done in the past, offers no indication as to what types of actions would be a "proportionate" response to acts the Special Rapporteur himself describes as "war crimes", such as the daily, indiscriminate firing of rockets on communities within Israel, as well as attacks on Israeli forces patrolling the Israeli side of the Perimeter fence. It should be noted that many of these violent terrorist attacks are perpetrated by Palestinians from within civilian population centers, including schools. The Rapporteur also does not indicate what the "proportionate" response would be to the ongoing and intensive military buildup currently being undertaken by the Hamas faction ruling Gaza with a view to future confrontations and the ultimate destruction of the State of Israel. Every state has the right under international law to self-defense; Israel cannot stand idly by as its kindergartens and shopping centers are bombarded.

Taxes and Banking Regulations

The Special Rapporteur condemns both Israel's policy of withholding taxes as well as the United States imposition of banking restrictions as part of its fight against terrorism. It should be noted that such policies conform with and implement the dictates of a number of U.N. Security Council resolutions that address the issue of the funding of global terrorist

¹ John Dugard, "International Terrorism and the Just War", (vol.12), Stanford Journal of International Studies, (1977), p. 21 at p. 32.

² John Dugard, "Towards a Definition of International Terrorism", American Society of International Law, Volume 67 (1973), p. 94, at p. 98.

networks. However, despite the numerous calls made by the U.N. to curb the financing of terrorism, the Rapporteur chooses to ignore the danger of transferring funds directly into the hands of terrorists and the need for accountability in this age of global terrorism.

Omissions, Misrepresentations, and Distortion of Facts

As noted above, the Special Rapporteur's report is rife with erroneous and misleading information. The Special Rapporteur has eschewed a meaningful and earnest investigation as to the facts, which are readily available and at his disposal. Below is a mere sampling of erroneous and misleading "facts" and figures presented in the report:

- The Special Rapporteur states, incorrectly that "Israel's obligations as occupying Power have not diminished," and that "Israel remains an occupying Power in respect of Gaza" (*Summary; para. 10*). Such statements fail to acknowledge the fact that since implementation of its Disengagement Plan, Israel has ended its military occupation of the Gaza Strip by pulling out all of its forces and redeploying them behind the international frontier, as well as dismantling all of the Israeli settlements that were situated there. Any military incursions in Gaza since Disengagement have been for the sole purpose of Israel's legitimate right under international law to defend its borders and citizens as a response to the unceasing barrage of Hamas rockets on Israeli civilian targets despite Israeli withdrawal from Gaza, and **not** part of an effort to occupy or "...control through military incursions, rocket attacks and sonic booms" (*para. 10(b)*).
- Contrary to the Special Rapporteur's assertions, the official Israeli government policy vis-à-vis the Gaza Strip is designed to ensure that no humanitarian crisis occurs. As it is entirely legitimate for a state to limit its economic relations with hostile powers, movement of persons and goods through sovereign Israeli territory to and from the Gaza Strip has been limited since the violent takeover by Hamas. However, Israel continues to allow such movement of persons and goods through its sovereign territory as required for humanitarian purposes. This policy remains intact despite Hamas' reign of terrorism and the constant barrage of rockets into Israel, as well as the real threat of attacks at the crossing points into Israel and usage of such passages to infiltrate into Israel's sovereign territory and carry out attacks against both Israeli civilian and military targets.

Thus, the Special Rapporteur's claim that Israel has asserted that it is, "...no longer bound by international humanitarian law in its actions vis-à-vis Gaza residents" (*para. 9*) is a complete misstatement. It is unclear how the Special Rapporteur arrived at such an assertion, as Israel has never made such a policy statement. Indeed, since June 2007, over 10,000 trucks have passed into Gaza via the Kerem Shalom, Sufa, Karni, and Nahal Oz terminals carrying over 231,000 tons of humanitarian supplies, including sugar, oil, rice, legumes, milk, meat, fresh produce, animal feed, fuel and gas³. The crossings into Gaza, contrary to the information presented in the report, are generally opened daily during normal business hours when no clear and concrete threat of terror exists. In the event that a crossing must be closed for security reasons, Israel makes all efforts to find an alternative solution for the delivery of humanitarian supplies into Gaza.

- Contrary to the Special Rapporteur's claim in paragraph 14 of this report that Israel failed to investigate the incident described therein, it should be noted that the Israeli Defense Forces did, indeed, undertake an investigation shortly after the incident, which was carried out in accordance with the mandatory procedures. Following such investigation and an analysis of the evidence, it was decided that no criminal proceeding should be initiated against the parties involved.
- As he did in his previous report, the Special Rapporteur erroneously links the kidnapping of Corporal Shalit with the various closings of the Rafah crossing and insinuates that such closings are reprisal actions by Israel (*para. 18*). First, it should be noted that Israel no longer has effective control over the Rafah crossing. Moreover, the Rafah crossing has been opened several times in the last months in order to allow the passage of persons for humanitarian purposes; this, despite the real danger of allowing terrorists to pass through the crossing.

³ The above figures are correct as of 29 October 2007, as reported by the Israeli Ministry of Defense.

- The Special Rapporteur erroneously states that there are "10,000 Palestinian **political** prisoners...." [*emphasis added*] (*Summary; para. 43*). The use of the term "political prisoner" gives the incorrect impression that such persons are being held for their political beliefs, when in truth such prisoners are being held for their active participation or complicity in crimes of violence and terrorism.
- In the report, the Special Rapporteur writes that, "The right of the Palestinian people to self-determination has been denied and obstructed for nearly 60 years by Israel" (*para. 5*). Such an accusation is quite plainly factually incorrect and reflects an ignorance of the history of our region. Clearly, the Special Rapporteur is unaware that the 1947 Partition Plan was embraced by the Jewish residents while rejected by the Arab residents of what was then Palestine, and that the Palestinian national movement did not emerge until decades later. Finally, for more than a decade, Israel had been involved in a difficult and sincere effort to reach a settlement that would achieve just that – Palestinian self-determination.
- The Special Rapporteur, in his discussion of IDF Operations "Summer Rains" and "Autumn Clouds" presents various factual errors and distortions. For example, the Special Rapporteur grossly exaggerates the number of military incursions carried out by Israeli forces during Operations "Summer Rains" and "Autumn Clouds." Moreover, his assertion that during those military operations the Israeli Defense Forces targeted civilian targets such as schools and hospitals is simply incorrect. Furthermore, his assertion that "82 Palestinians, at least half of whom were civilians (including 21 children), were killed by the IDF" during Operation Autumn Clouds, is also erroneous. During the course of that operation, a total of 30 persons were killed, including several Hamas and other Palestinian militants. 6 of those killed were civilians (including 4 minors).
- The Special Rapporteur repeatedly blames "Palestinian militants" (*para. 16; 53*) for the rocket and other attacks on Israeli civilians, rather than the Hamas regime. This misleading wording gives the false impression that such acts of violence and gross human rights violations against Israeli civilians are perpetrated by lone, fringe groups in Palestinian society when really the opposite is true; such attacks represent the official policy of the Hamas regime that currently controls Gaza. Israel calls upon the Special Rapporteur to hold Hamas accountable for its terrorist policies and actions.
- In paragraph 18 of his report, the Special Rapporteur erroneously states that Corporal Shalit was benignly "arrested", when in reality, Corporal Gilad Shalit was violently abducted and is still being held captive and denied even the most basic humanitarian rights under international law, including the right to visitation by a Red Cross representative.
- The Special Rapporteur falsely claims that the European Border Assistance Mission was prevented from Israel from carrying out its task. It is unclear upon what source the Rapporteur relied upon in making such a claim. Moreover, he incorrectly states that such organization is "...responsible for operating Rafah" (*para. 18*). The Mission's mandate clearly indicates that it does **not** serve in such capacity and, rather, is present at the border as a third party acting to help build confidence between Israel and the Palestinian Authority and serve as a liaison.
- The Special Rapporteur erroneously states that "Israel has abandoned its claim that the wall [*sic*] is a security measure...and now concedes that one of the purposes of the wall is to include settlements within Israel" (*para. 27*). Israel has never made a statement to that effect and is unclear as to the source of such statement or how the Rapporteur would arrive at such a conclusion. The Government of Israel has repeated, on numerous occasions, that the construction of the security fence is a temporary, non-violent, protective measure based solely on security considerations and upon the principle of self-defense and is aimed at preventing easy entrance of terrorists into Israel. It should be noted in this context that the Israeli High Court of Justice reviews the path of the security fence and in all instances insures that the route of the fence serves security interests only.
- In addition, in his discussion of Israel's construction of its security fence, the Rapporteur presents various unsubstantiated and incorrect figures. For example, the Special Rapporteur cites that "an estimated 60,000 West Bank Palestinians...will reside in the closed zone between the wall [*sic*] and the Green Line." The figure that the

Rapporteur presents is grossly inflated and has been cited in past reports despite Israel's rebuttal of such figures. Indeed, to date only 7,000 persons reside in the "closed zone", and 1,000 more will be included with the completion of the construction of the fence.

- In this context, it should be further noted that, contrary to the Special Rapporteur's assertions, all residents of the closed zones have access to a checkpoint that is opened 24 hours a day. In addition, it should be clarified that gates along the security fence are opened at regular hours and notice of such hours of operation, as well as the contact information of the relevant authorities that will facilitate the opening of such gates at other hours, is posted clearly on the gates.
- The Special Rapporteur's portrayal of Palestinian farmers' access to agricultural lands is also misleading. The Special Rapporteur draws no distinction between gates that lead to lands that are cultivated seasonally (which are opened on a seasonal basis) and gates that lead to crops cultivated year-round, which are opened throughout the year.
- In addition, contrary to the Special Rapporteur's assertion that it is difficult for Palestinians to obtain permits to access their agricultural lands, it should be noted that over 75% of all permit requests by Palestinians have been approved by Israeli authorities.
- Also, contrary to the Special Rapporteur's assertions, construction of the security fence in the Maale Adumim area will not alter current arrangements which allow Israeli citizens – including Arab residents of East Jerusalem holding Israeli identification certificates – access to Jerusalem through 12 different entry portals. Both prior to the construction of the security fence and currently, Palestinians wishing to enter Jerusalem must seek an entrance permit and may enter through special access areas designed to facilitate security checks. It should be emphasized that the construction of the security fence has no bearing on these arrangements.
- The Special Rapporteur incorrectly states that the security fence around the Gush Etzion bloc will "sever the last route between Bethlehem and Jerusalem and isolate the majority of Bethlehem's agricultural hinterland." This statement is simply incorrect. Such a route exists today and will continue to exist as construction of the fence in that area is completed. There is no Israeli plan to impede or block the route. Furthermore, access to agricultural lands in this area will not be blocked by the fence as it will not be declared a "closed zone" requiring an entry permit. Rather, the entire area will be left open, with access subject to security checks.
- As for the construction of the security fence in the Jerusalem area, the Special Rapporteur incorrectly states that the fence separates Palestinian territory from other Palestinian territory, when, in truth it does not change the legal status of the area or the residents on either side of the fence. Hence, it is dubious as to how exactly Israel plans to achieve the "Judaization" of Jerusalem with the construction of the fence.
- In his discussion of settlements and settlers, as noted above, the Special Rapporteur quotes freely from a 2006 Peace Now report, failing to note that the organization issued a corrected report after an admission that said the original report was rife with errors. It should be noted that in a subsequent report issued by that organization, the statistical information presented was corrected to indicate that private Palestinian land ownership in the West Bank was significantly lower than initially presented in the original report (and than erroneously presented in this report by the Special Rapporteur).
- The claims set forth by the Special Rapporteur in his discussion of Palestinian access to the Jordan Valley area are also in error. It should be noted that, contrary to the Rapporteur's assertions, Israel does not require Palestinian pedestrians in the Jordan Valley to carry permits. All that is required to enter the area is a routine security examination.

- In his discussion of checkpoints and roadblocks, the Special Rapporteur states that a permit is required to travel from one area in the West Bank to another. This is simply incorrect – no permit whatsoever is required to travel from one city to another in the West Bank.
- The Special Rapporteur claims that there has been a marked "deterioration" in the West Bank in terms of the state of human rights in the past years. However, statistics provided by the World Bank and other organizations point to a trend in the opposite direction which points to overall growth and development. For example, the Special Rapporteur ignores the Palestinian Authority's 3% increase in trade with Israel as compared to 2005 (12% as compared to 2004); the Authority's 5.2% increase in the volume of exports since 2004; the drop in unemployment (17.3% in 2007 as compared to 24.6% in 2004), with an overall trend of the reduction of joblessness since 2002; real GDP figures overall have improved since 2003; and nominal GDI per capita statistics also point to a consistent rise since 2002. The Special Rapporteur also fails to make note of various Israeli initiatives to improve the economic situation in the West Bank, including the development of plans to create an industrial zone.

Conclusion

Previous reports of the Special Rapporteur have suggested that he has little interest in contributing either to an improvement of human rights protection in our region or to a resolution of our conflict. Neither of these goals can be achieved without some appreciation of the complexity of the situation, and of the balance of rights and responsibilities, which is so lacking in both the current and past reports.

Israel has emphasized for over a decade that there can be no value in a report created pursuant to a one-sided and inherently imbalanced mandate that ignores principles of equality and impartiality. A mandate that prejudices key issues stands in marked contrast to the current wave of reforms in the United Nations and, in particular, to those supposedly being undertaken in the Human Rights Council. Israel and other states have long noted the fundamental imbalance in the mandate of the Special Rapporteur, which calls upon him to examine alleged human rights violations by Israel only, and, thus, invites him to ignore those committed on the Palestinian side.

Despite the fact that the Special Rapporteur in his August 2005 report noted that he felt compelled to address Palestinian violations as well, his current report stands largely silent on this subject. It should be noted that a recent report by the Palestine Center for Human Rights⁴, courageously highlights the grave human rights and international humanitarian law breaches of Palestinians against each other, and the escalating state of lawlessness in the territories controlled by the Hamas-led government. It documents detailed incidents of extra-judicial and willful killings; abductions; torture and executions (including those of injured persons at the end of combat); attacks on hospitals, medical and civil defense crews; attacks on residential buildings; the looting of property; and attacks against the media. In contrast, the Special Rapporteur has chosen to maintain a deafening silence regarding these gross abuses of human rights.

The current report, however, reflects an approach which is potentially even more damaging. The narrow and politically motivated prism it adopts not only fails to make any contribution to positive movements in our region, but it seeks to undermine core humanitarian principles. Such a report, which undermines the concept of self defense and which ignores universally accepted standards prohibiting the use of violence against civilians can only be regarded as a major step backwards in the protection human rights, not just in our region, but throughout the world.

⁴ "Black Pages in the Absence of Justice" on the bloody fighting in the Gaza Strip in June 2007.



**General Assembly
Security Council**

Distr.: General
7 December 2007
English
Original: Arabic

General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-second year

**Identical letters dated 5 December 2007 from the Permanent
Representative of Lebanon to the United Nations addressed to the
Secretary-General and the President of the Security Council**

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations from 23 to 30 November 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(Signed) Nawaf **Salam**
Ambassador
Permanent Representative



**Annex to the identical letters dated 5 December 2007 from the
Permanent Representative of Lebanon to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

Subject: Israeli violations, acts of aggression and other activities from 23 to 30 November 2007, inclusive

Air violations

On 23 November 2007, between 1004 hours and 1300 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in a northerly direction as far as off the coast of Juniyah and circled over the sea off Juniyah and Beirut. It departed over the sea off al-Naqurah.

Between 1735 hours and 2050 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in a northerly direction as far as off the coast of Juniyah and circled over the sea off Beirut. It departed over the sea off al-Naqurah.

On 25 November 2007, between 1729 hours and 2100 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in an easterly direction as far as Marj'ayun. It departed over Rumaysh.

At 2249 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in an easterly direction as far as Marj'ayun. It departed on 26 December 2007 at 0100 hours over al-Naqurah.

On 26 November 2007, between 1220 hours and 1335 hours, two warplanes violated Lebanese airspace over the sea of Shikka in an easterly direction and circled over the sea off Shikka and Batrun. They departed over the sea off al-Naqurah.

On 27 November 2007, between 1010 hours and 1030 hours, enemy Israeli military aircraft violated Lebanese airspace over the Second Armoured Division sector at high altitude.

Between 1730 hours and 2040 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Rumaysh and circled over the South region. It departed over al-Naqurah.

Between 1930 hours and 2200 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over 'Alma al-Sha'b and circled over the South region. It departed over Rumaysh.

On 28 November 2007, between 1719 hours and 2020 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in an easterly direction as far as Marj'ayun and circled over regions of the South. It departed over 'Alma al-Sha'b.

At 2209 hours, an enemy Israeli aircraft violated Lebanese airspace over the sea off Tyre in an easterly direction as far as Marj'ayun and circled over regions of the South. It departed on 29 November 2007 at 0055 hours over Rumaysh.

On 29 November 2007, between 1705 hours and 1745 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in a northerly direction as far as off the coast of Beirut and circled over the sea off Beirut. It departed over the sea of al-Naqurah.

Sea violations

On 28 November 2007, at 1920 hours in the open sea off Ras al-Naqurah inside occupied Palestinian regional waters, an enemy Israeli military launch shone searchlights in the direction of a Lebanese fishing vessel located inside Lebanese regional waters.

Acts of aggression in the field

On 27 November 2007, at 0715 hours and intermittently thereafter, four cows belonging to the Israeli enemy crossed the Blue Line in the direction of Birkat al-Naqqar (outside the town of Shab'a). They departed on 28 November 2007 at 1200 hours.

On 28 November 2007, at 1200 hours, three cows belonging to the Israeli enemy crossed the Blue Line at pasture land in Kafr Shuba and attacked a pickup with three Lebanese citizens inside, leading to minor head injuries to one of the passengers and damage to the pickup. This occurred in the presence of the international Observation Group.



General Assembly

Distr.: General
5 December 2007

Original: English

Sixty-second session
Agenda item 62
Social development

**Letter dated 29 November 2007 from the Permanent
Representative of Uzbekistan to the United Nations addressed
to the Secretary-General**

I have the honour to convey to you information on measures being undertaken in the Republic of Uzbekistan in the sphere of social development and social protection of the population (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the sixty-second session of the General Assembly, under agenda item 62.

(Signed) Alisher Vohidov
Permanent Representative
of the Republic of Uzbekistan



Annex to the letter dated 29 November 2007 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Information on measures being undertaken in the Republic of Uzbekistan for social protection of the population

The Government of the Republic of Uzbekistan pays special attention to social development issues, which it regards as a priority area of State policy. As part of its efforts to achieve the goals and targets established during the World Summit on Sustainable Development and the twenty-fourth special session of the United Nations General Assembly, the Republic of Uzbekistan is taking progressive steps to further improve public services and implement a range of employment promotion measures.

In the process of implementing market reforms, the State's main social goals are primarily to improve the quality of life and the well-being of families and individuals. It should be emphasized that strong social protection of the population is among the core principles of the Uzbek model of reforms. In the purposeful pursuit of its social protection policy, the Government approves and implements State programmes every year. The programmes implemented include, inter alia, the "Year of Human Interests", the "Year of Women", the "Year of the Family", the "Year of the Healthy Generation" and the "Year of the Mother and Child". The proclamation by the President of the Republic of Uzbekistan of the year 2007 as the "Year of Social Protection" clearly demonstrates the State's constant and extensive attention to social development issues.

In this connection, the Government of the Republic of Uzbekistan has approved the State programme entitled the "Year of Social Protection". A range of targeted measures are being implemented under this programme in order to further broaden and strengthen the social protection of the population and improve the targeting, differentiation and effectiveness of the assistance provided to those members of society most in need: the disabled, single aged people, mothers and children. The measures being undertaken are also designed to prevent a sharp polarization in the income levels of the population and consolidate an atmosphere of mutual understanding, kindness and charity in society.

Special attention is being paid to targeted social protection for the most vulnerable sectors of the population. Local self-governing bodies known as *makhalla* traditionally play a central role in providing targeted social protection: it is through these bodies that aid is distributed to the people most in need.

State social support programmes which primarily target mothers and children have become widespread in recent years. Funding for social protection of the population was also significantly increased in the 2007 Uzbek State budget. Whereas total social spending accounted for 51 per cent of the State budget in 2006, in the current year that figure was 54.1 per cent. Expenditure on social benefits for families accounted for 7 per cent of the 2007 State budget. In addition to budgetary expenditure, the Government adopts special regulations every year on targeted

social protection and social services for single aged people, pensioners and the disabled.

Systematic work is being carried out to incorporate social protection issues into the presidential and governmental laws, decrees and decisions adopted by parliament. In 2007, for example, decrees of the President of the Republic of Uzbekistan were adopted on measures to further improve and strengthen the social protection system for the population and on measures to strengthen social support for pensioners.

Great importance is attached while carrying out these reforms to promoting employment through new job creation. In the past two years alone, more than one million jobs — 70 per cent in small businesses — have been created under local employment promotion programmes. Mindful that a significant proportion of the Uzbek population is under 18 years of age, the Government has developed and is implementing targeted youth employment programmes.

A programme of specific measures is being implemented pursuant to the decision of the President of the Republic dated 6 April 2007 on measures for the promotion of employment, the strengthening of labour bodies and social protection of the population. This programme introduces new forms of employment, taking into account demographic factors and promising areas for sectoral development and structural reforms of the economy.



**General Assembly
Security Council**

Distr.: General
7 December 2007
English
Original: Arabic

**General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East**

**Security Council
Sixty-second year**

**Identical letters dated 6 December 2007 from the Permanent
Representative of Lebanon to the United Nations addressed to
the Secretary-General and the President of the Security Council**

On the instructions of my Government, I transmit to you herewith a statistical table of Israeli violations during the month of November 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(Signed) Nawaf Salam
Ambassador
Permanent Representative



**Annex to the identical letters dated 6 December 2007 from the
Permanent Representative of Lebanon to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

Statistical table showing Israeli violations during November 2007

Air violations				Sea violations	Land violations				Overall Total	Previous month's violations
Military jet	Reconnaissance	Helicopter	Total		Military acts of aggression	Field violations	Breaches	Total		
				Crossing of territorial waters, and firing of automatic-weapons rounds, flares and flare shells over territorial waters	Air raids, artillery shelling, shelling of military positions and important posts, attacks on and killing of civilians	Gunfire, launching of flare bombs, dropping of artillery shells, infiltration and crossing of international borders	Threats and display of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory			
27	31	-	58	2	-	11	-	11	71	58

**General Assembly**

Distr.: General
7 December 2007

Original: English

Sixty-second session

Agenda item 24

Question of the Falkland Islands (Malvinas)**Letter dated 5 December 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General**

In accordance with instructions received from my Government, I have the honour to refer to the note verbale dated 16 October 2007 from the Permanent Mission of Argentina to the United Nations, addressed to you (A/62/494), requesting the circulation of a note that was transmitted by the Embassy of the Argentine Republic in the United Kingdom to the Foreign and Commonwealth Office.

The United Kingdom's position on this issue is well known. The Government of the United Kingdom has no doubts about the sovereignty of the United Kingdom over the Falkland Islands, South Georgia and South Sandwich Islands and their surrounding maritime areas, and rejects the claim by the Government of Argentina to sovereignty over those islands and areas and that the Falkland Islands are under illegal occupation by the United Kingdom.

I should be grateful if you would circulate the text of the present letter as a document of the General Assembly under agenda item 24.

(Signed) John Sawers



**General Assembly**

Distr.: General
7 December 2007

Original: English

Sixty-second session

Agenda item 164

**Financing of the United Nations Mission in
the Central African Republic and Chad****Proposed budget of the United Nations Mission in the
Central African Republic and Chad for the period from
1 July 2007 to 30 June 2008 and expenditure report for
the period from 1 March to 30 June 2007****Report of the Advisory Committee on Administrative and
Budgetary Questions**

Proposal submitted by the Secretary-General for 2007/08 ^a	\$197,444,000
Recommendation of the Advisory Committee ^b	\$182,444,000

^a Inclusive of the amount of \$46,942,300 authorized by the Advisory Committee on 7 March 2007 in accordance with section IV of General Assembly resolution 49/233 A.

^b Indicative only. To be adjusted on the basis of updated information to be furnished to the General Assembly.



I. Introduction

1. The recommendations of the Advisory Committee on Administrative and Budgetary Questions, set out below, would entail a reduction of \$15 million in the proposed budget for the United Nations Mission in the Central African Republic and Chad (MINURCAT) for the period from 1 July 2007 to 30 June 2008 (A/62/544). The Advisory Committee also makes a number of observations and recommendations with regard to the administration and management of the Mission and opportunities for further savings.
2. The documents used by the Advisory Committee in its consideration of the financing of MINURCAT are listed at the end of the present report.

II. Expenditure report for the period from 1 March to 30 June 2007

3. In a statement by the President of the Security Council of 16 January 2007 (S/PRST/2007/2), the Council requested the Secretary-General to deploy as soon as possible an advance mission to Chad and the Central African Republic to accelerate preparations for an early decision on the possible deployment of a multidimensional United Nations presence. In response to a letter from the Controller dated 26 February 2007, the Advisory Committee, pursuant to section IV of General Assembly resolution 49/233 A, provided commitment authority in an amount not exceeding \$46,942,300 gross (\$46,360,300 net) to meet the most urgent requirements of the United Nations advance mission to Chad and the Central African Republic.
4. As indicated in paragraph 125 of the proposed budget, the deployment of MINUTAC, which was subject to consultations with the Governments of Chad and the Central African Republic, was delayed, thus preventing the full utilization of the commitment authority. Accordingly, by a letter dated 27 June 2007, the Controller informed the Advisory Committee that projected expenditures amounted to \$934,200 gross (\$930,400 net) and requested the Committee's authorization to utilize the balance of the commitment authority during the 2007/08 period in order to continue preparations for an early decision by the Security Council on the possible deployment of a multidimensional United Nations presence. The Committee concurred with that request. In its resolution 1778 (2007), the Council, on 25 September, authorized the establishment of MINURCAT. In a letter dated 9 November 2007, the Controller informed the Committee that upon the closing of the peacekeeping accounts for the period 2006/07, expenditures for MINUTAC against the commitment authority amounted to \$1,114,100 gross (\$1,104,000 net), leaving a balance of \$45,828,200 gross (\$45,256,300 net) to be utilized during 2007/08 (see A/62/544, sect. V). The proposed budget for MINURCAT for the period from 1 July 2007 to 30 June 2008 incorporates the balance of the commitment authority of \$45,828,200.
5. Upon request, the Advisory Committee was provided with updated information on current and projected expenditures (see annex I). As at 26 November, expenditures amounted to \$3,429,200 gross (\$3,396,500 net).

III. Proposed budget for the period from 1 July 2007 to 30 June 2008

A. Mandate and planned results

6. By its resolution 1778 (2007), the Security Council approved the establishment of MINURCAT to help create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced persons and decided that the Mission would consist of an appropriate civilian component, including up to 300 police personnel, and an initial component of up to 50 military liaison officers. The main steps leading to the establishment of the Mission and financial arrangements are summarized in paragraph 3 of the report of the Secretary-General on the proposed budget (A/62/544). The Mission's mandate is summarized in paragraph 4 of the report.

7. Acting under Chapter VII of the Charter of the United Nations, the Security Council, in its resolution 1778 (2007), also authorized the European Union to deploy an operation to contribute to protecting civilians in danger, particularly refugees and displaced persons; to facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the area of operations; and to contribute to protecting United Nations personnel, facilities, installations and equipment and to ensuring the security and freedom of movement of its staff and United Nations and associated personnel.

8. As indicated in paragraph 20 of the proposed budget, the Mission will pursue a coordinated approach in the implementation of its mandate through cooperation with the United Nations country team, which has been operating in Chad and the Central African Republic for extended periods of time. The United Nations Resident/Humanitarian Coordinator for Chad will be a member of the Mission's senior management team. Upon enquiry, the Advisory Committee was informed that the country team was composed of representatives of the Food and Agriculture Organization of the United Nations, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights, the World Health Organization, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme, the Department of Safety and Security, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund and the World Food Programme. The total number of staff present in Chad from those organizations was 1,012 (256 international staff and 756 national staff). The Committee was further informed that, while several members of the country team had been present in Chad for decades, the humanitarian response in eastern Chad started in late 2003 in response to the influx of refugees from the Darfur region of the Sudan.

9. **The Advisory Committee encourages the Mission to take advantage of the presence of other United Nations entities in the area and expects that the proposed budget for 2008/09 will set out clearly the nature and extent of collaboration with them.**

10. The Advisory Committee notes, in addition, that under the terms of its mandate, the Mission is to liaise closely with the Sudanese Government, the African Union, the African Union Mission in the Sudan, the African Union-United Nations

Hybrid Operation in Darfur (UNAMID), the United Nations Peacebuilding Support Office in the Central African Republic, the Multinational Force of the Central African Economic and Monetary Community and the Community of Sahelo-Saharan States to exchange information on emerging threats to humanitarian activities in the region (Security Council resolution 1778 (2007), para. 2 (d)).

11. In view of the recent establishment of MINURCAT, the proposed budget for 2007/08 provides an outline of the Mission's frameworks at the component level (A/62/544, para. 6). Results-based-budgeting frameworks, including expected accomplishments, indicators of achievement and associated outputs, will be fully developed and submitted to the General Assembly in the context of the Mission's proposed budget for 2008/09.

B. Structure

12. The Advisory Committee notes from the report of the Secretary-General to the Security Council (S/2007/488, sect. IV.D) that MINURCAT is to be a multidimensional operation consisting of a range of components, including: (a) a special Chadian law enforcement element to be known as the *Police tchadienne pour la protection humanitaire* (PTHP); (b) United Nations elements, comprising police, substantive and support staff; and (c) the military force, which is to be made up of European Union troops. The overall presence is to be coordinated by a United Nations-appointed head of mission, who will serve as the Special Representative of the Secretary-General for Chad and will be responsible for coordinating the peacekeeping mandate in the north-eastern part of the Central African Republic.

13. As indicated in paragraph 11 of the proposed budget and section IV.D of the report of the Secretary-General to the Security Council, Mission headquarters and the rear logistics base are to be established in N'Djamena, where the Special Representative of the Secretary-General and a small number of key staff would be based. The majority of the Mission personnel would be based in eastern Chad. A forward headquarters would be established in Abeche, which would also house the forward logistics base and a police station. Field offices would be located at Farchana, Goz Beida and Iriba. Police stations would also be at those three locations, as well as at Guereda and Bahia. In addition, the Mission would establish police posts at each of the 12 refugee camps managed by UNHCR. As noted in paragraph 50 of the report of the Secretary-General to the Security Council, the European Union operation would be headquartered, or have at least a coordination and liaison office, in N'Djamena, while its military operations would be controlled from a forward operational headquarters in Abeche co-located with the United Nations forward headquarters in order to ensure full coordination and maximize the integration of operations.

14. The Mission's presence in the Central African Republic would consist of a liaison office in Bangui and a field office in Birao. "Satellite" offices would be established in Douala, Cameroon, and Benghazi, Libyan Arab Jamahiriya, to handle movement control and procurement activities (see A/62/544, para. 11).

C. Resource requirements

15. The proposed budget of MINURCAT for 2007/08 amounts to \$197,444,000 gross (\$194,880,200 net). The Advisory Committee notes that a large portion of the resources requested (\$163,876,200, or 83 per cent) relate to operational costs during Mission set-up.

16. The Advisory Committee notes the inclusion in the proposed budget, pursuant to General Assembly resolution 61/276 (sect. II, para. 2), of a description of the resource planning assumptions used in its preparation (A/62/544, paras. 7-20). As noted in the budget report, the Mission will face substantial challenges relating to its deployment in multiple remote locations in a very large and arid area in landlocked countries that lack adequate physical infrastructure, in particular roads. Furthermore, the lack of water resources, the unstable security situation and difficulties in the identification and recruitment of qualified national staff have been taken into account in the budget estimates. As noted in paragraph 9 of the proposed budget, the security situation and lack of infrastructure in Chad will necessitate the construction of United Nations bases co-located with the European Union operation that are in compliance with the minimum operating security standards and that would serve as office and accommodation premises for all United Nations personnel. In addition, extensive reliance on air transportation for supply will be required. The resource planning assumptions are also predicated on the full deployment of the European Union operation pursuant to paragraph 6 of Security Council resolution 1778 (2007), with its logistical support capacity, and the provision of support from voluntary contributions to PTPH. The Advisory Committee was informed, upon enquiry, that the European Union operation was expected to achieve full operational capacity by the end of May 2008.

1. Military and police personnel

Category	Authorized ^a	Deployment (2007/08)				Delayed deployment factor (percentage)
		August	December	March	June	
Military observers	50	5	20	46	50	10
United Nations police	300	—	86	238	300	20
Total	350	5	106	284	350	

^a Authorized strength as per Security Council resolution 1778 (2007).

17. The estimated requirements for military and police personnel of \$7,203,700 take into account the phased deployment schedule shown in the table above and annex II below, with the application of delayed deployment factors of 10 per cent for military observers and 20 per cent for United Nations police. Pending the establishment of mission subsistence allowance rates for Chad, requirements are based on provisional rates for N'Djamena (\$271 for the first 30 days and \$144 thereafter) and eastern Chad (\$136 for the first 30 days and \$72 thereafter with accommodations provided). Requirements for mission subsistence allowance in the Central African Republic are included at the rate of \$130 for the first 30 days and \$112 thereafter.

2. Civilian personnel

Category	Proposed ^a	Deployment (2007/08)				Difference between proposed and planned		Delayed recruitment/ deployment factor (percentage)
		September	December	March	June	Number	Percentage	
International staff ^b	530	10	83	224	438	92	17	20
National staff ^c	588	—	82	229	458	130	22	20
United Nations Volunteers	144	—	20	86	144	—	—	20

^a Represents highest level of proposed strength. Does not include 16 positions (15 international and 1 national) funded under general temporary assistance for the Conduct and Discipline Team and the "tiger team".

^b Includes 1 post (P-5, Chief Security Adviser) funded through the United Nations country team cost-sharing arrangements.

^c Includes 12 National Professional Officers and 576 national General Service staff.

18. The proposed civilian staffing component of MINURCAT includes a total of 1,262 posts, as shown in the table above. The civilian personnel costs included in the budget for the period from 1 July 2007 to 30 June 2008 (\$26,364,100) take into account the planned deployment schedule, which projects a civilian staffing complement of 1,040 by 30 June 2008 (see also planned monthly deployment schedule, annex III), as well as a 20 per cent delayed recruitment/deployment factor for all categories of staff.

19. In this connection, the Advisory Committee notes that a dedicated recruitment and staffing team ("tiger team") has been established to fill posts expeditiously (A/62/544, paras. 19 and 72). Upon enquiry, the Committee was informed that part of the team was already in place in the Mission area and had begun recruiting. As noted in paragraph 19 of the proposed budget, the "tiger team" had devised a recruitment strategy that included prioritization of critical posts and outreach to special groups of candidates, including candidates from the region, French- and Arabic-speaking candidates and female candidates. In addition, a special unit of the team had been established to handle the recruitment of national staff. As indicated in paragraph 72 of the proposed budget, the team will also assist in the administrative management of newly recruited staff members pending the establishment of a fully operational human resources section. **The Committee welcomes the proactive approach that the Mission is taking in relation to recruitment. In this connection, the Committee is of the view that the prioritization of critical posts is particularly important to the staffing of the Mission and to ensuring its effective functioning in the shortest possible amount of time. The Committee expects that the lessons learned in the implementation of this approach will be reported in the context of the proposed budget for 2008/09.**

20. The Advisory Committee notes that the staffing proposal for MINURCAT includes only 12 National Professional Officers. Upon enquiry, the Committee was informed that a technical assessment survey of the local labour market in Chad had revealed a scarcity of qualified personnel to perform professional-level functions. In view of that fact and taking into account the persistent high vacancy rates in National Professional Officer posts across United Nations peacekeeping operations, the number of proposed National Professional Officer posts was based on the anticipated ability to fill those posts at the start-up stage. The Committee was further informed that the number of National Professional Officer posts would be

reviewed in the context of subsequent budget submissions in the light of experience gained.

21. The Advisory Committee notes that in the proposed budget the positions funded under general temporary assistance and established posts are treated in a similar manner in that a delayed deployment factor (15 per cent) has been applied to general temporary assistance for budgetary purposes. Such positions are temporary in nature, as their funding mechanism implies, and their costs are debited to operational requirements. **In the view of the Committee, the application of a delayed deployment factor is not appropriate for this type of requirement. As the Committee has asserted in the past (see A/62/540, para. 33), the resource requirements for such positions should have been requested on the basis of the actual number of work-months required for the tasks envisioned. The Committee will comment further on this issue in the context of its general report on peacekeeping operations for 2008/09.**

Observations and recommendations on posts

22. The Advisory Committee points out that a number of factors may affect the Mission's ability to deploy staff in accordance with the schedule set out above (see also annex III), in particular the ability of the Mission to identify and recruit qualified national staff and also the pace of deployment of the European Union operation. Because of such uncertainties, the Committee is of the view that a 20 per cent delayed recruitment/deployment factor for all categories of staff is optimistic (see para. 42 below).

23. **In the view of the Advisory Committee, the structure of the Mission and the final allocation of posts and their grade levels should remain under review as the Mission is deployed. Accordingly, in the paragraphs below, the Committee has made a number of comments and recommendations on post requirements, but has refrained from reviewing the proposal on a post-by-post basis. The Committee expects that the budget for MINURCAT for the period from 1 July 2008 to 30 June 2009 will reflect the experience gained and will include further review, on the basis actual workload, and justification of all staffing proposals, taking into account the recommendations below. In reviewing the structure of the Mission, due attention should be given to the balance of staffing between the Mission's headquarters in N'Djamena, the forward headquarters in Abeche and the field offices, given that the Mission's headquarters was to consist of the Special Representative and a small number of key staff, while the majority of Mission personnel were to be based in eastern Chad (see S/2007/488, paras. 39 and 40).**

Executive direction and management

<i>Location</i>	<i>Proposed posts</i>	<i>Level</i>
Mission headquarters (N'Djamena)	33	1 USG, 1 D-1, 4 P-5, 6 P-4, 6 P-3, 1 P-2, 5 Field Service, 7 national General Service, 2 National Professional Officers

<i>Location</i>	<i>Proposed posts</i>	<i>Level</i>
Forward headquarters (Abeche)	39	1 ASG, 1 D-1, 2 P-5, 6 P-4, 8 P-3, 1 P-2, 8 Field Service, 12 national General Service
Field offices	18	3 P-4, 10 P-3, 1 Field Service, 1 national General Service, 3 United Nations Volunteers
Total	90	1 USG, 1 ASG, 2 D-1, 6 P-5, 15 P-4, 24 P-3, 2 P-2, 14 Field Service, 20 national General Service, 2 National Professional Officers, 3 United Nations Volunteers

24. Included under executive direction and management are the proposed staffing resources of the Office of the Special Representative (15 posts), the Office of the Deputy Special Representative (7 posts), the Office of Legal Affairs (4 posts), the Joint Mission Analysis Centre (9 posts), the Joint Operations Centre (5 posts), the Resident Internal Oversight Office (3 posts), the Political and Civil Affairs Office (21 posts), the Humanitarian Liaison Unit (7 posts) and the Public Information Section (19 posts) (A/62/544, paras. 26-44).

25. The Office of the Special Representative, headed at the Under-Secretary-General level, is described in paragraphs 27 and 28 of the proposed budget. The Advisory Committee notes that a Political Affairs Officer at the P-3 level is proposed for the immediate Office of the Special Representative to liaise with the Political and Civil Affairs Section at forward headquarters in Abeche. As indicated in paragraph 38 of the budget report, a Senior Political Affairs Officer at the P-5 level is to be deployed from the Political and Civil Affairs Office in Abeche to Mission headquarters in N'Djamena to liaise between Mission headquarters and the forward headquarters in Abeche on all matters related to political affairs. **In the view of the Committee, the provision for a P-5 Senior Political Affairs Officer should be sufficient to ensure coordination and the smooth flow of information between the two headquarters in this area. Accordingly, the Committee recommends against the establishment of a P-3 level Political Affairs Officer in the Office of the Special Representative.**

26. A Best Practices Officer (P-4) and two Planning Officers (1 P-4 and 1 P-3) are requested in the Office of the Chief of Staff to assist in the identification of lessons learned in the course of the implementation of the Mission's strategic plan and in reporting and disseminating best practices, as well as in the preparation of the strategic plan and the monitoring of its implementation. Upon enquiry as to the specific functions of Best Practices Officers in the field, the Advisory Committee was informed that they: (a) capture their own mission's response to specific challenges in mandate implementation and mission support and report thereon to senior leadership for continuous improvement of mission operations; (b) share lessons from their mission with other missions and with Headquarters to ensure that the development of tools for peacekeepers reflects current experience; (c) provide

their own mission with guidance and research materials from Headquarters and peacekeeping partners on how to perform their tasks better.

27. The Advisory Committee was informed that the Peacekeeping Best Practices Section of the Department of Peacekeeping Operations at Headquarters provided guidance to the network of field-based Best Practices Officers, maintained knowledge-sharing systems and ensured that guidance development for the Department of Peacekeeping Operations and the Department of Field Support reflected the lessons identified in the field. The Committee was informed that the United Nations Mission in the Sudan, the United Nations Integrated Office in Burundi, the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Operation in Côte d'Ivoire, the United Nations Integrated Office in Sierra Leone, the United Nations Assistance Mission in Afghanistan, the United Nations Integrated Mission in Timor-Leste and the United Nations Interim Force in Lebanon each had a Best Practices Officer. In addition to the post requested for MINURCAT, the Committee was informed that Best Practices Officers would be requested for UNAMID and the United Nations Stabilization Mission in Haiti (1 each) in the context of budget proposals for 2008/09. **The Committee is of the view that the functions described in paragraph 26 above could and should, at least in the start-up phase, be carried out by the Mission's leadership with guidance from the Peacekeeping Best Practices Section. The Committee therefore recommends against the establishment of the proposed P-4 post for a Best Practices Officer and the proposed P-3 post for a Planning Officer. The Committee will comment further on this issue in the context of its general report on peacekeeping operations for 2008/09.**

Component 1: security and protection of civilians

<i>Location</i>	<i>Proposed posts</i>	<i>Level</i>
Mission headquarters (N'Djamena)	25	1 D-2, 2 P-5, 2 Field Service, 20 national General Service
Forward headquarters (Abeche)	32	1 D-1, 2 P-4, 1 Field Service, 28 national General Service
Field offices	84	1 P-4, 83 national General Service
Total	141	1 D-2, 1 D-1, 2 P-5, 3 P-4, 3 Field Service, 131 national General Service

28. Component 1, security and protection of civilians, includes the proposed staffing resources for the Office of the Chief Military Liaison Officer (4 posts) and the Office of the Police Commissioner (137 posts) (A/62/544, paras. 45-54). Under this component, the Mission would deploy United Nations military liaison and police officers to Mission headquarters, forward headquarters, police stations to be established in Abeche, Bahai, Farchana, Goz Beida, Guereda and Iriba, and 12 UNHCR-managed refugee camps in eastern Chad, as well as to the liaison office in Bangui and the field office in Birao, Central African Republic. The Mission

would also liaise closely with the European Union operation, in particular on issues related to the military aspects of crisis management.

29. Upon enquiry, the Advisory Committee was informed that UNHCR and MINURCAT were currently discussing the handover arrangements in respect of the support of the Chadian police/gendarmes tasked with ensuring security and the rule of law in the 12 refugee camps. In this regard, the Committee was informed that an agreement had been reached in principle whereby UNHCR would continue to provide allowances to the gendarmes until PTPH was deployed, with MINURCAT assuming responsibility for their support. Accordingly, the number of gendarmes supported by UNHCR would decrease progressively, as PTPH and MINURCAT deploy to new locations, until all gendarmes have been replaced.

30. Pursuant to paragraph 5 of Security Council resolution 1778 (2007), the Mission would facilitate and mobilize funding, through collaboration with bilateral and multilateral donors, for the provision of basic accommodations, rations, vehicles, communications equipment and basic police equipment to PTPH, for the payment of stipends to PTPH personnel and for the establishment of a national police academy (see A/62/544, paras. 45 and 46).

Component 2: human rights and rule of law

<i>Location</i>	<i>Proposed posts</i>	<i>Level</i>
Mission headquarters (N'Djamena)	13	1 P-5, 3 P-4, 3 P-3, 1 Field Service, 3 national General Service, 2 National Professional Officers
Forward headquarters (Abeche)	29	3 P-5, 4 P-4, 9 P-3, 2 P-2, 4 national General Service, 4 National Professional Officers, 3 United Nations Volunteers
Field offices	22	10 P-3, 3 P-2, 3 National Professional Officers, 6 United Nations Volunteers
Total	64	4 P-5, 7 P-4, 22 P-3, 5 P-2, 1 Field Service, 7 national General Service, 9 National Professional Officers, 9 United Nations Volunteers

31. Component 2, human rights and rule of law, includes proposed staffing resources for the Judicial Advisory Unit (9 posts), the Corrections Advisory Unit (7 posts), the Gender Unit (6 posts) and the Human Rights Section (42 posts) (see A/62/544, paras. 55-63).

32. In this connection, the Advisory Committee requested clarification concerning the staffing and functions of the Gender Unit and the Human Rights Section, bearing in mind paragraph 2 (e) of Security Council resolution 1778 (2007), which states

that MINURCAT should contribute to the monitoring and the promotion and protection of human rights, with particular attention to sexual and gender-based violence. The Committee was informed that the Gender Unit would work in cooperation with the Human Rights Section to ensure that the Mission effectively addressed the protection of women and children, especially internally displaced persons and refugees, from sexual and gender-based violence. While the Human Rights Section would take the lead in monitoring cases of sexual and gender-based violence, the two components would work jointly to ensure that appropriate training was developed and provided for United Nations police and PTPH, as well as for all Mission staff, and adequately mainstreamed throughout the Mission's operations. The Committee was further informed that the proposed staffing of the MINURCAT Gender Unit was based on requirements for a medium-sized mission, given the fact that the staffing of the Mission was split between two headquarters. **The Committee notes the potential risk of duplication under this component and requests that a full explanation of its interrelated elements be provided in the proposed budget for MINURCAT for 2008/09.**

Component 3: support

<i>Location</i>	<i>Proposed posts^a</i>	<i>Level</i>
Mission headquarters (N'Djamena)	225	1 D-1, 2 P-5, 7 P-4, 19 P-3, 4 P-2, 74 Field Service, 88 national General Service, 30 United Nations Volunteers
Forward headquarters (Abeche)	458	3 P-5, 16 P-4, 40 P-3, 6 P-2, 156 Field Service, 162 national General Service, 2 National Professional Officers, 73 United Nations Volunteers
Field offices	300	11 P-3, 2 P-2, 90 Field Service, 168 national General Service, 29 United Nations Volunteers
Total	983	1 D-1, 5 P-5, 23 P-4, 70 P-3, 12 P-2, 320 Field Service, 418 national General Service, 2 National Professional Officers, 132 United Nations Volunteers

^a Includes 4 positions (1 P-5, 1 P-4, 1 P-2 and 1 National Professional Officer) in the Conduct and Discipline Team and 12 positions (1 P-5, 2 P-4, 2 P-3 and 7 Field Service) in the "tiger team" funded under general temporary assistance, and 1 post (P-5) for the Chief Security Adviser funded through the United Nations country team cost-sharing arrangements.

33. Overall mission support is to be provided by the Division of Administration, headed by a Chief Administrative Officer (D-1). The Division would comprise Administrative Services and Technical Services. Security support would be provided by the Security Section, headed by a Chief Security Adviser (a P-5 post funded through the United Nations country team cost-sharing arrangements), who would report to the Special Representative of the Secretary-General. Included under the

support component are the proposed staffing resources for the Office of the Chief Administrative Officer (15 posts), the HIV/AIDS Unit (5 posts), Administrative Services (93 posts), the Technical Services (592 posts) and the Security Section (262 posts).

34. Also included in the component are 16 positions funded under general temporary assistance, 12 positions for the "tiger team" and 4 for the Conduct and Discipline Team (see also para. 19 above). **The Advisory Committee understands that the requirements for the tiger team are temporary, as its services are usually needed during the Mission's early stages. The flexibility afforded by the funding mechanism of general temporary assistance is therefore appropriate for the team. The requirement for the functions of the Conduct and Discipline Team, however, is ongoing. Accordingly, the Committee recommends that the Conduct and Discipline Team be staffed using established posts rather than positions. The Committee expects that the Mission will give consideration, in the context of its recruitment strategy and the prioritization of critical posts as mentioned in paragraph 19 above, to a phased deployment of the Conduct and Discipline Team.**

35. Upon enquiry as to the role of the Security Section vis-à-vis the European Union operation, the Advisory Committee was informed that the operation would provide MINURCAT with a secure environment to facilitate mandate implementation, including physical security for MINURCAT personnel and assets where the European Union operation and MINURCAT are co-located. The European Union operation would also seek to provide escorts to MINURCAT staff when needed. The MINURCAT Security Section would be responsible, inter alia, for advising the Head of Mission or designated official on security issues, providing security training to United Nations personnel, investigating incidents, tracking staff movement and managing medical and other types of emergency relocations or evacuations. The Security Section will also provide physical security for MINURCAT personnel and assets when they are not co-located with the European Union operation.

3. Operational costs

36. As indicated in the proposed budget, the Mission will face many challenges that will entail up-front costs and will have an impact on operational costs in general. These include poor road infrastructure, scarcity of equipment and services, lack of water resources, lack of office space and living accommodations and an unstable security situation. As indicated in paragraph 15 above, the proposed operational costs for MINURCAT for the period from 1 July 2007 to 30 June 2008 of \$163,876,200 represent 83 per cent of the proposed budget. Most of the resources proposed under operational costs relate to requirements under facilities and infrastructure (\$48,346,400), ground transportation (\$43,384,600), air transportation (\$32,017,600) and communications (\$17,286,800). In this connection, upon request, the Advisory Committee was provided with information on recurrent and non-recurrent costs (see annex IV) indicating that, of the total of \$163,876,200 proposed under operational costs, \$118,313,800, or 72.2 per cent, are non-recurrent. The Committee notes that non-recurrent costs relate mainly to start-up of the Mission, including the acquisition of prefabricated facilities, construction services, the acquisition of vehicles and the acquisition of communications and information technology equipment.

37. As noted in paragraph 14 of the proposed budget, poor inland road infrastructure will necessitate heavy reliance on aviation assets. Fixed-wing and rotary aircraft will be positioned at various locations throughout the Mission area to provide for the movement of personnel, medical evacuation and supply. Proposed resources for air transportation amount to \$32,017,600 and provide for the rental and operation of six fixed-wing aircraft for a total of 2,393 flight hours and six helicopters for a total of 2,635 flight hours, as well as the acquisition of airfield equipment and supplies, landing fees and ground handling charges. Upon request, the Advisory Committee was provided with an updated deployment timeline for aircraft (see annex V). It was also provided with a revised deployment schedule for aircraft on 4 December 2007 in which it was indicated that the budget for aircraft could be reduced by \$7,305,400. The Committee understands that the aircraft deployment schedule is dependent on the deployment of the European Union operation and the police component of MINURCAT, as well as on the deployment of United Nations staff.

38. The proposal under ground transportation provides for the acquisition of 635 vehicles, as well as the short-term rental of vehicles pending the delivery of new vehicles, Carlog equipment, vehicle spare parts, equipment for vehicle workshops, repairs and maintenance, liability insurance and diesel fuel (A/62/544, para. 116).

39. The Advisory Committee was informed that, under facilities and infrastructure, an amount of \$18.3 million was included for construction services. The Committee was further informed that it was expected that all the construction projects would be completed by June 2008.

40. The resources proposed for communications and information technology amount to \$17,286,800 and \$8,768,400 respectively. Those resources include \$13,877,700 for acquisition of communications equipment and \$6,460,600 for information technology equipment.

41. The Advisory Committee is aware, as noted in paragraph 22 above, that there are factors that may affect the deployment schedule of the Mission and its ability to utilize operational resources fully. The Committee recognizes that adequate operational support is required as the Mission equips itself and sets up its own physical infrastructure. Thus, while the Committee does not recommend any specific reductions in operational costs at this time beyond those which are consequent to its recommendations on staffing costs in paragraphs 18 to 35 above and the revised aircraft deployment schedule as discussed in paragraph 37 and annex V, it recommends that the Secretary-General undertake a rigorous review of the capacity of the Mission to effectively utilize the proposed resources for operational costs. A detailed update should be provided to the General Assembly at the time of its consideration of the proposed budget for MINURCAT for 2007/08 so that resource requests can be reduced accordingly. Moreover, the use of resources under operational costs should be strictly monitored and any change in requirements reported in the performance report. The Committee expects that requests under operational costs in the 2008/09 budget proposal will reflect refinements based on experience gained and further review.

IV. Conclusion

42. The action to be taken by the General Assembly in connection with the financing of MINURCAT for the period from 1 July 2007 to 30 June 2008 is indicated in paragraph 139 of the proposed budget. **Taking into account its comments in the foregoing paragraphs, the Advisory Committee recommends that the estimated requirements of \$197,444,000 be reduced by \$7,526,700. In addition, as noted above, the Committee has doubts about the proposed pace of deployment of personnel and operational costs. The Committee believes that the level of the proposed budget exceeds requirements for the period and should therefore be further reduced by \$7,473,300, for a total reduction of \$15 million. The Committee points out that the estimated resource requirements in the proposed budget are for the period from January to June 2008, or approximately six months. Accordingly, the Committee recommends that the Assembly:**

(a) **Appropriate the amount of \$1,114,100 previously authorized by the Advisory Committee for the advance mission in Chad and the Central African Republic for the period from 1 March to 30 June 2007;**

(b) **Appropriate an amount of \$182,444,000 for the establishment and deployment of MINURCAT for the period from 1 July 2007 to 30 June 2008, inclusive of the amount of \$45,828,200 previously authorized by the Committee for the advance mission in Chad and the Central African Republic.**

Documentation

- Proposed budget for the United Nations Mission in the Central African Republic and Chad for the period from 1 July 2007 to 30 June 2008: report of the Secretary-General (A/62/544)
- Report of the Secretary-General on Chad and the Central African Republic (S/2007/488)
- Security Council resolution 1778 (2007)

Annex I

07-63289

Current and projected expenditures

(Thousands of United States dollars, rounded)

	1 March to 30 June 2007		1 July 2007 to 30 June 2008		
	Commitment authority	Total expenditures	Unencumbered balance	Expenditures as at 26 November	Projected expenditures
	(1)	(2)	(3)=(1)-(2)	(4)	(5)
Military and police personnel					
Military observers	714.1	191.0	523.1	54.0	1 204.1
Military contingents	—	—	—	—	—
United Nations police	506.0	34.1	471.9	230.2	5 715.4
Formed police units	—	—	—	—	—
Subtotal	1 220.1	225.1	995.0	284.2	6 919.5
Civilian personnel					
International staff	5 777.1	6.7	5 770.4	1 012.7	20 536.0
National staff	74.5	—	74.5	—	1 699.6
United Nations Volunteers	333.2	—	333.2	—	3 115.8
Subtotal	6 184.8	6.7	6 178.1	1 012.7	25 351.4
Operational costs					
General temporary assistance	103.6	55.1	48.5	—	1 902.6
Government-provided personnel	—	—	—	—	322.4
Civilian electoral observers	—	—	—	—	—
Consultants	—	—	—	—	—
Official travel	428.1	476.0	(47.9)	141.7	1 032.0
Facilities and infrastructure	14 244.6	5.0	14 239.6	159.0	48 187.4
Ground transportation	6 476.2	130.3	6 345.9	240.5	43 144.1
Air transportation	4 553.9	101.4	4 452.5	10.0	32 007.6
Naval transportation	—	—	—	—	—
Communications	6 061.6	35.4	6 026.2	1 067.0	16 219.8
Information technology	3 066.7	56.7	3 010.0	490.8	8 277.6
Medical	252.4	—	252.4	16.0	1 184.0
Subtotal	61 184.8	6.7	61 178.1	1 012.7	26 364.1
Operational costs					
General temporary assistance	103.6	55.1	48.5	—	1 902.6
Government-provided personnel	—	—	—	—	322.4
Civilian electoral observers	—	—	—	—	—
Consultants	—	—	—	—	—
Official travel	428.1	476.0	(47.9)	141.7	1 032.0
Facilities and infrastructure	14 244.6	5.0	14 239.6	159.0	48 187.4
Ground transportation	6 476.2	130.3	6 345.9	240.5	43 144.1
Air transportation	4 553.9	101.4	4 452.5	10.0	32 007.6
Naval transportation	—	—	—	—	—
Communications	6 061.6	35.4	6 026.2	1 067.0	16 219.8
Information technology	3 066.7	56.7	3 010.0	490.8	8 277.6
Medical	252.4	—	252.4	16.0	1 184.0
Subtotal	61 184.8	6.7	61 178.1	1 012.7	26 364.1

	1 March to 30 June 2007			1 July 2007 to 30 June 2008		
	Commitment authority	Total expenditures	Unencumbered balance	Expenditures as at 26 November	Projected expenditures	Cost estimates
	(1)	(2)	(3)=(1)-(2)	(4)	(5)	(6)=(4)+(5)
Special equipment	—	—	—	—	—	—
Other supplies, services and equipment	4 350.3	22.4	4 327.9	7.3	9 266.4	9 273.7
Quick-impact projects	—	—	—	—	200.0	200.0
Subtotal	39 537.4	882.3	38 655.1	2 132.3	161 743.9	163 876.2
Gross requirements	46 942.3	1 114.1	45 828.2	3 429.2	194 014.8	197 444.0
Staff assessment income	582.0	10.1	571.9	32.7	2 531.1	2 563.8
Net requirements	46 360.3	1 104.0	45 256.3	3 396.5	191 483.7	194 880.2
Total requirements	46 942.3					

Annex II

**Actual and planned deployment of military and police personnel for the
United Nations Mission in the Central African Republic and Chad for the
period from 1 July 2007 to 30 June 2008**

Category	Total authorized ^a	Monthly deployment												Difference between authorized and planned at 30 June		Delayed deployment factor
		Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Number	Percentage (percentage)	
Military observers	50	5	5	5	5	14	20	30	36	46	50	50	50	—	—	10
Military contingents	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
United Nations police	300	—	—	—	—	66	86	124	186	238	300	300	300	—	—	20
Formed police units	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Military and police personnel	350	5	5	5	5	80	106	154	222	284	350	350	350	—	—	—

^a Authorized strength as per Security Council resolution 1778 (2007).

Annex III

**Actual and planned deployment of civilian personnel for the United Nations
Mission in the Central African Republic and Chad for the period from
1 July 2007 to 30 June 2008**

Category	Total proposed	Monthly deployment												Difference between recruitment/ deployment authorized and planned as at 30 June		Delayed recruitment/ deployment factor
		Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Number	Percentage (percentage)	
International staff ^a	530	1	8	10	22	40	83	124	172	224	284	355	438	92	17	20
National staff	588	—	—	—	—	40	82	123	174	229	305	383	458	130	22	20
United Nations Volunteers	144	—	—	—	—	10	20	30	61	86	95	122	144	—	—	20

^a Includes one post (P-5, Chief Security Adviser) funded through the United Nations country team cost-sharing arrangements.

Annex IV

Estimate of recurrent and non-recurrent costs for the period from 1 July 2007 to 30 June 2008

(Thousands of United States dollars)

Category	Recurrent	Non-recurrent	Total
I. Military and police personnel			
1. Military observers			
Mission subsistence allowance	961.7	—	961.7
Travel on emplacement, rotation and repatriation	243.0	—	243.0
Clothing allowance	6.6	—	6.6
Death and disability compensation	40.0	—	40.0
Rations	6.8	—	6.8
Subtotal, line 1	1 258.1	—	1 258.1
2. Military contingents			
Standard troop cost reimbursement	—	—	—
Travel on emplacement, rotation and repatriation	—	—	—
Recreational leave allowance	—	—	—
Daily allowance	—	—	—
Mission subsistence allowance	—	—	—
Death and disability compensation	—	—	—
Rations	—	—	—
Contingent-owned equipment: major equipment	—	—	—
Freight and deployment of contingent-owned equipment	—	—	—
Subtotal, line 2	—	—	—
3. United Nations police			
Mission subsistence allowance	4 300.8	—	4 300.8
Travel on emplacement, rotation and repatriation	1 500.0	—	1 500.0
Clothing allowance	38.6	—	38.6
Death and disability compensation	64.0	—	64.0
Rations	42.2	—	42.2
Subtotal, line 3	5 945.6	—	5 945.6
4. Formed police units			
Formed police units cost reimbursement	—	—	—
Travel on emplacement, rotation and repatriation	—	—	—
Recreational leave allowance	—	—	—
Daily allowance	—	—	—
Death and disability compensation	—	—	—
Rations	—	—	—

<i>Category</i>	<i>Recurrent</i>	<i>Non-recurrent</i>	<i>Total</i>
Contingent-owned equipment: major equipment	—	—	—
Freight and deployment of contingent-owned equipment	—	—	—
Subtotal, line 4	—	—	—
Subtotal, group I	7 203.7	—	7 203.7
II. Civilian personnel			
5. International staff			
International staff salaries	7 596.2	—	7 596.2
Staff assessment	2 140.2	—	2 140.2
Common staff costs	4 626.1	—	4 626.1
Hazardous duty station allowance	1 797.1	—	1 797.1
Mission subsistence allowance	5 389.1	—	5 389.1
Overtime	—	—	—
Other costs	—	—	—
Subtotal, line 5	21 548.7	—	21 548.7
6. National staff			
National staff salaries	1 012.0	—	1 012.0
Staff assessment	238.3	—	238.3
Common staff costs	303.6	—	303.6
Hazardous duty station allowance	125.5	—	125.5
Overtime	20.2	—	20.2
Other costs	—	—	—
Subtotal, line 6	1 699.6	—	1 699.6
7. United Nations Volunteers			
United Nations Volunteers	3 115.8	—	3 115.8
Subtotal, line 7	3 115.8	—	3 115.8
Subtotal, group II	26 364.1	—	26 364.1
III. Operational costs			
8. General temporary assistance			
International staff			
Salaries	651.0	—	651.0
Common staff costs	396.4	—	396.4
Staff assessment	183.2	—	183.2
Hazardous duty station allowance	99.5	—	99.5
Mission subsistence allowance	559.3	—	559.3
Subtotal	1 889.4	—	1 889.4

Category	Recurrent	Non-recurrent	Total
National staff			
Salaries	8.3	—	8.3
Common staff costs	2.5	—	2.5
Staff assessment	2.1	—	2.1
Hazardous duty station allowance	0.3	—	0.3
Subtotal	13.2	—	13.2
Other personnel			
Salaries	—	—	—
Subtotal	—	—	—
Subtotal, line 8	1 902.6	—	1 902.6
9. Government provided personnel			
Mission subsistence allowance	197.4	—	197.4
Staff assessment	125.0	—	125.0
Subtotal, line 9	322.4	—	322.4
10. Civilian electoral observers			
Mission subsistence allowance	—	—	—
Travel on assignment/repatriation	—	—	—
Subtotal, line 10	—	—	—
11. Consultants			
Non-training	—	—	—
Training	—	—	—
Subtotal, line 11	—	—	—
12. Official travel			
Non-training	780.7	—	780.7
Training	393.0	—	393.0
Subtotal, line 12	1 173.7	—	1 173.7
13. Facilities and infrastructure			
Acquisition of prefabricated facilities	—	13 763.3	13 763.3
Acquisition of miscellaneous facilities and infrastructure	—	—	—
Acquisition of bridges for infrastructure	—	253.0	253.0
Acquisition of electrical equipment	—	—	—
Acquisition of refrigeration equipment	—	220.8	220.8
Acquisition of generators	—	4 003.2	4 003.2
Acquisition of water purification equipment	—	335.6	335.6
Acquisition of water and septic tanks	—	556.9	556.9
Acquisition of accommodation equipment	—	274.9	274.9

<i>Category</i>	<i>Recurrent</i>	<i>Non-recurrent</i>	<i>Total</i>
Acquisition of fuel tanks and pumps	—	902.6	902.6
Acquisition of office furniture	—	819.8	819.8
Acquisition of office equipment	—	302.8	302.8
Acquisition of field defence equipment	—	299.0	299.0
Acquisition of security and safety equipment	—	1 021.0	1 021.0
Acquisition of firefighting equipment	—	26.6	26.6
Rental of premises	130.0	—	130.0
Rental of office equipment	102.4	—	102.4
Utilities	135.5	—	135.5
Maintenance services	308.0	—	308.0
Security services	—	—	—
Alteration and renovation services	—	400.0	400.0
Construction services	—	18 325.0	18 325.0
Stationery and office supplies	219.4	—	219.4
Spare parts and supplies	462.0	—	462.0
Maintenance supplies	20.0	—	20.0
Field defence supplies	—	709.0	709.0
Petrol, oil and lubricants	4 664.8	—	4 664.8
Sanitation and cleaning materials	90.8	—	90.8
Contingent-owned equipment: self-sustainment	—	—	—
Subtotal, line 13	6 132.9	42 213.5	48 346.4
14. Ground transportation			
Acquisition of vehicles	—	39 977.7	39 977.7
Acquisition of vehicle workshop equipment	—	1 529.5	1 529.5
Rental of vehicles	1 080.0	—	1 080.0
Repairs and maintenance	49.6	—	49.6
Liability insurance	39.4	—	39.4
Spare parts	233.7	—	233.7
Petrol, oil and lubricants	474.7	—	474.7
Subtotal, line 14	1 877.4	41 507.2	43 384.6
15. Air transportation			
Equipment and supplies	—	5 846.6	5 846.6
Services	2 187.2	100.0	2 287.2
Landing fees and ground handling charges	696.8	—	696.8
Aircrew subsistence allowance	55.5	—	55.5
Petrol, oil and lubricants	6 743.2	—	6 743.2
<i>Fixed-wing</i>			
Liability insurance	26.2	—	26.2
Rental and operation	7 285.1	—	7 285.1

<i>Category</i>	<i>Recurrent</i>	<i>Non-recurrent</i>	<i>Total</i>
<i>Helicopters</i>			
Liability insurance	25.8	—	25.8
Rental and operation	9 051.2	—	9 051.2
Subtotal, line 15	26 071.0	5 946.6	32 017.6
16. Naval transportation			
Acquisition of marine vessels	—	—	—
Rental and operation	—	—	—
Liability insurance	—	—	—
Spare parts/repairs/maintenance and supplies	—	—	—
Petrol, oil and lubricants	—	—	—
Subtotal, line 16	—	—	—
17. Communications			
Acquisition of communications equipment	—	13 877.7	13 877.7
Commercial communications	1 220.6	—	1 220.6
Maintenance of equipment	—	—	—
Communications support services	520.2	150.0	670.2
Rental of equipment	—	—	—
Spare parts	624.5	—	624.5
Contingent-owned equipment: self-sustainment	—	—	—
<i>Public information</i>			
Acquisition of public information equipment	—	619.9	619.9
Public information services	246.0	—	246.0
Rental of equipment	—	—	—
Supplies and maintenance	27.9	—	27.9
Subtotal, line 17	2 639.2	14 647.6	17 286.8
18. Information technology			
Acquisition of equipment	—	6 460.6	6 460.6
Acquisition of software packages	—	178.7	178.7
Information technology services	791.2	757.5	1 548.7
Rental of equipment	—	—	—
Maintenance and repair of equipment	—	—	—
Licences, fees and rental of software	241.4	—	241.4
Spare parts and supplies	339.0	—	339.0
Subtotal, line 18	1 371.6	7 396.8	8 768.4
19. Medical			
Acquisition of equipment	—	673.2	673.2
Medical services	153.6	—	153.6

<i>Category</i>	<i>Recurrent</i>	<i>Non-recurrent</i>	<i>Total</i>
Rental of equipment	—	—	—
Supplies	373.2	—	373.2
Contingent-owned equipment: self-sustainment	—	—	—
Subtotal, line 19	526.8	673.2	1 200.0
20. Special equipment			
Acquisition of observation equipment	—	—	—
Mine detection and mine clearing equipment	—	—	—
Contingent-owned equipment: self-sustainment	—	—	—
Subtotal, line 20	—	—	—
21. Other supplies, services and equipment			
Acquisition of other equipment	—	—	—
Welfare	—	—	—
Mine detection and mine clearing services	3 072.7	—	3 072.7
Mine detection and mine clearing supplies	—	—	—
Subscriptions	8.0	—	8.0
Printing and reproduction	—	—	—
Operational maps	—	750.0	750.0
Uniforms, flags and decals	10.4	—	10.4
Personal protection gear	—	578.9	578.9
Training fees, supplies and services	61.0	—	61.0
Election materials	—	—	—
Official functions	10.0	—	10.0
Other hospitality	—	—	—
External audit	50.0	—	50.0
General insurance	25.0	—	25.0
Bank charges	200.0	—	200.0
Miscellaneous claims and adjustments	5.8	—	5.8
Other freight and related costs	—	4 400.0	4 400.0
Rations, other	96.9	—	96.9
Loss on exchange	—	—	—
Other services	5.0	—	5.0
Subtotal, line 21	3 544.8	5 728.9	9 273.7
22. Quick-impact projects			
Quick-impact projects	—	200.0	200.0
Subtotal, line 22	—	200.0	200.0
Subtotal, group III	45 562.4	118 313.8	163 876.2
Gross requirements	79 130.2	118 313.8	197 444.0

<i>Category</i>	<i>Recurrent</i>	<i>Non-recurrent</i>	<i>Total</i>
Staff assessment income	2 563.8	—	2 563.8
Net requirements	76 566.4	118 313.8	194 880.2
Voluntary contributions in kind (budgeted)	—	—	—
Voluntary contributions in kind (non-budgeted)	—	—	—
Total requirements	79 130.2	118 313.8	197 444.0

Annex V**Aircraft deployment timeline****Fixed-wing aircraft**

January 2008	1 medium cargo (AN-26)
15 February 2008	1 liaison aircraft (B-200)
15 March 2008	1 medium cargo (L-100)
15 April 2008	1 medium passenger aircraft (DHC-8) and 1 liaison aircraft (B-200)
1 May 2008	1 medium passenger aircraft (MD-83)

Helicopters

15 January 2008	2 medium-utility helicopters (MI-8MTV)
15 February 2008	2 medium-utility helicopters (MI-8MTV)
15 April 2008	1 medium-utility helicopter (MI-8MTV)
1 May 2008	1 heavy-utility helicopter (MI-26)



**General Assembly
Security Council**

Distr.: General
11 December 2007

Original: English

General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-second year

**Identical letters dated 10 December 2007 from the Permanent
Representative of the Syrian Arab Republic to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

Upon instructions from my Government, I have the honour to transmit herewith a letter from the Ministry of Foreign Affairs that represents the position of the Syrian Arab Republic on the fifth report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (S/2007/641) (see annex).

I would greatly appreciate it if the present letter and its annex were circulated as a document of the General Assembly, under agenda item 17, and of the Security Council before the date of consideration of the report by the Security Council.

Bashar Ja'afari
Ambassador
Permanent Representative



**Annex to the identical letters dated 10 December 2007 from the
Permanent Representative of the Syrian Arab Republic to the
United Nations addressed to the Secretary-General and the
President of the Security Council**

[Original: Arabic]

**Syrian Arab Republic
Ministry of Foreign Affairs**

On instructions from my Government, I have the honour to transmit to you herewith a letter stating the position of the Syrian Arab Republic concerning the fifth report of the Secretary-General on the implementation of resolution 1701 (2006).

1. Syria affirms once again its condemnation of the aggression committed by Israel against Lebanon in July 2006, which resulted in the killing and wounding of thousands of innocent Lebanese and which the Security Council was not able to stop as of the first days owing to the well-known pressure exerted on it. As a result, the Israeli machine of destruction continued for 33 days in an unprecedented violation of international law, international humanitarian law and human rights law. Leaving aside the question of the conditions that led to the adoption by the Security Council of its resolution 1701 (2006), the Syrian Arab Republic affirms the need to implement that resolution without selectivity and without targeting the parties that basically suffered the disastrous consequences of that aggression. Syria would like to reiterate its appreciation of the role played by the United Nations Interim Force in Lebanon (UNIFIL) in continuing to carry out its mission, especially with respect to the daily violations of resolution 1701 (2006) committed by Israel. Syria reaffirms its strong condemnation of the aggression committed by dubious elements against members of the Spanish battalion participating in UNIFIL and demands that the Security Council shoulder its responsibilities in an unbiased, impartial manner, calling Israel to account and sanctioning it for its near-daily violations of resolution 1701 (2006). Those violations are documented officially with the United Nations on the basis of reports of the UNIFIL Command and the numerous letters addressed by Lebanon to the United Nations from time to time, particularly in view of the fact that Israeli declarations do not deny the occurrence of those violations, but, rather, affirm them. The events are grounds for genuine astonishment when the Council stands by helplessly in the face of Israel's continued refusal to provide the United Nations and Lebanon with maps of mines and cluster bombs, which have so far killed some 233 Lebanese citizens, including many children, and taken a toll of dozens of victims among elements belonging to international groups.

2. The Syrian Arab Republic provided great support to the Lebanese Army in its confrontation with the terrorists of Fath al-Islam at Nahr al-Barid. In this connection, we should like to reiterate that Fath al-Islam is as much an enemy to Syria as it is to Lebanon. The Syrian Arab Republic should also like to recall the repeated statements made by Lebanese officials that the members of that organization belonged to Al-Qaida. The Commander of the Lebanese Army, on 13 August 2007, stated that Fath al-Islam was a branch of Al-Qaida and had no relationship to Syrian intelligence, while the Chief of Staff of the Lebanese armed forces, on 4 September 2007, said that the Commander of the Lebanese Army had

stated that the Fath al-Islam group at the Nahr al-Barid camp had no relationship with the Syrian Arab Republic or with Syrian intelligence and that he had no information indicating that there was a relationship between that organization and the Syrian Arab Republic. The Director of Military Intelligence of the Lebanese Army, on 4 September 2007, affirmed that the link between Fath al-Islam and Al-Qaida has been confirmed through the questioning of detainees and that Fath al-Islam had no relationship with Syrian intelligence. Both the Minister for Foreign Affairs and the Minister of the Interior of the Syrian Arab Republic had drawn the attention of the international community to that matter early on. That information had also been conveyed to the Secretary-General by the Syrian Arab Republic via note SG-089 of 26 March 2007. Furthermore, independent sources have confirmed that more than three fourths of the terrorists at Nahr al-Barid had entered Lebanon through Beirut airport.

3. The Syrian Arab Republic wishes to emphasize that the Palestinian presence in Lebanon is regulated by Lebanese-Palestinian agreements, which have nothing to do with the Syrian Arab Republic, and that all Palestinian positions in Lebanon are on Lebanese territory exclusively. Consequently, the Syrian Arab Republic is not responsible for any defects, should any exist, in the agreements signed by the Palestinian and Lebanese sides.

4. The allegations about weapons smuggling across the Syrian-Lebanese border are motivated by political rather than security considerations, and are designed to provide cover for Israel's continuing violations of both Lebanese sovereignty and Security Council resolution 1701 (2006). We recall again in this context the statements made by the Lebanese Deputy Prime Minister and Minister for Defence, and the Commander of the Lebanese Armed Forces, in which they denied that the army leadership was conveying information to the Lebanese Government on the smuggling of arms to Palestinian factions across the Syrian-Lebanese borders. The report issued by the Lebanon Independent Border Assessment Team confirmed the accuracy of this position in its paragraphs 45 and 120. Syria has conveyed this position to the Secretary-General in a letter issued as Security Council document S/2007/431, and again in a letter dated 19 October 2007 from the Deputy Minister for Foreign Affairs of the Syrian Arab Republic addressed to the Secretary-General and the President of the Security Council. The dubious allegations being deliberately spread by Israel about weapons smuggling across the Syrian-Lebanese border are intended to create pretexts for it not to comply with resolution 1701 (2006), and should be completely disregarded, given that Israel is hostile to Syria and is occupying part of its territory in violation of international law and dozens of resolutions issued by the Security Council, the General Assembly, the Human Rights Council and specialized agencies of the United Nations. We recall again in this regard our letter addressed to the Secretary-General and the President of the Security Council concerning the violation by Israel of our airspace on 6 September 2007, which was issued as document A/61/1041-S/2007/537. Moreover, Israel's claim that it possesses evidence is, in itself, flagrant evidence that Israel is in contravention of resolution 1701 (2006), as the claim is an implicit admission that Israel is violating Lebanese airspace at the Syrian borders, which, in this case, enables it to photograph any vegetable or goods truck and tout the pictures as being of trucks carrying weapons. In fact, Israel bombed a Syrian vegetable truck during its attack on Lebanon in 2006, killing approximately 30 Syrian civilian workers who were working in Lebanon.

5. The Syrian Arab Republic reaffirms that the issue of the establishment of diplomatic relations between Syria and Lebanon is a bilateral sovereign matter that should be undertaken by the Syrian and Lebanese Governments. Syria would also like to reaffirm to all Member States of the Security Council and of the United Nations its determination to establish such relations as soon as a Lebanese Government exists that is willing to establish friendly relations with Syria. This was affirmed in a letter dated 19 October 2007 from the Deputy Minister for Foreign Affairs addressed to the Secretary-General and the President of the Security Council.

6. The Syrian Arab Republic reaffirms that the demarcation of borders is a bilateral sovereign matter that should be resolved between the Syrian and Lebanese Governments. In this regard, we wish to point out that we had expected that the Secretary-General would indicate in his report that the real reason why the resolution of the Shab'a farms problem has faltered is Israel's continued occupation of the Shab'a farms and the occupied Syrian Golan, and its refusal to comply with legitimate international resolutions.

7. The Syrian Arab Republic wishes to clarify once again that contacts between the Syrian and Lebanese sides regarding control of their common borders have not ceased. It notes that it provided the Secretary-General and the President of the Security Council, in its letter No. 444 of 2 November 2007, with an updated list of its 17 meetings to date, and will continue to inform the Secretariat and the Security Council of subsequent meetings. Our memorandum indicated that the objective of these bilateral meetings is border control and the prevention of smuggling. We have repeatedly indicated that the Syrian Arab Republic is ready to begin demarcating the Syrian-Lebanese border, starting from the north for practical reasons, namely, that the southern part of this common border is under Israeli occupation.

8. The Syrian Arab Republic re-emphasizes that it has doubled the number of border guards on the Syrian side. Syria notes that it has requested a number of European States to provide it with technical equipment to assist it with monitoring its borders and train Syrian personnel to perform this task. However, it has yet to receive a definitive response from those States, which have provided the Lebanese side with the equipment requested.

9. Finally, Syria calls on others to respect the sovereignty, political independence and territorial integrity of Lebanon and the rule of non-interference in its internal affairs, in theory and in practice, to preserve the peace and security of this brotherly neighbour country which has suffered considerably because of external intervention in its internal affairs.

**General Assembly**

Distr.: General
10 December 2007

Original: English

Sixty-second session

Agenda item 146

Financing of the United Nations Mission of Support in East Timor**Final performance report of the United Nations Mission of Support in East Timor****Report of the Advisory Committee on Administrative and Budgetary Questions**

1. The Advisory Committee on Administrative and Budgetary Questions has considered the final performance report of the Secretary-General on the United Nations Mission of Support in East Timor (UNMISET) (A/62/555), the mandate of which expired on 20 May 2005.
2. As shown in table 1 of the report, income from assessed and voluntary contributions to the United Nations Transitional Administration in East Timor (UNTAET) and UNMISET, as well as interest and other income, totalled \$2,034,505,000 for the period from the inception of UNTAET on 25 October 1999 to 30 June 2007, while net expenditure for the same period amounted to \$1,803,102,000, leaving an unencumbered balance of \$231,403,000. Credits returned to Member States amounted to \$225,426,000. Therefore, as at 30 June 2007, the fund balance amounted to \$5,977,000.
3. In paragraphs 9 to 12 of its resolution 61/282, the General Assembly decided, inter alia, that Member States that had fulfilled their financial obligations to the Mission would be credited with their share of the unencumbered balance and other income in the amount of \$31,835,900 in respect of the financial period ended 30 June 2006 and that for those Member States that had not fulfilled their financial obligations to the Mission, their respective share in the unencumbered balance and other income would be set off against their outstanding obligations. The Assembly also decided that the increase in the estimated staff assessment income of \$4,800 in respect of the same period should be added to the credits and encouraged Member States that were owed credits to apply them to any accounts where the Member State had outstanding assessed contributions.
4. As shown in table 2 of the report of the Secretary-General, cash assets for the Mission as at 30 June 2007 amounted to \$15,800,000, while total liabilities of



UNTAET and UNMISSET amounted to \$35,208,000, inclusive of the amount of \$31,584,000 payable to Member States, as well as \$3,624,000 in other liabilities, resulting in a cash shortfall of \$19,408,000. As indicated in paragraph 12 of the report, the shortfall is attributable primarily to uncollected assessed contributions in the amount of \$24,985,000. As a result, available cash would be insufficient to implement decisions taken by the General Assembly in its resolution 61/282.

5. In paragraph 13 of his report, the Secretary-General recommended that the General Assembly suspend, with effect from 29 June 2007, the provisions of paragraphs 9 to 12 of its resolution 61/282 regarding the disposition of credits due to Member States with respect to the unencumbered balance and other income for the period ended 30 June 2006, amounting to \$31,835,900, until outstanding assessed contributions were received and to retain in the Special Account for UNMISSET the cash assets of the Mission as at 30 June 2007 in the amount of \$15,800,000.

6. Upon enquiry, the Advisory Committee was informed that pending the approval by the General Assembly of the proposed budgets of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the United Nations Mission in the Central African Republic and Chad (MINURCAT), which are currently under consideration, and the receipt of the assessed contributions, the cash requirements of those missions would be met from loans from closed peacekeeping missions, including UNMISSET, and from the Peacekeeping Reserve Fund. The Committee was further informed that the cash requirements of UNAMID, MINURCAT and the Somalia planning team were currently funded from the Peacekeeping Reserve Fund through commitment authorities totalling \$99.3 million, leaving a balance of \$50.7 million available in the Fund.

7. **Notwithstanding the considerations set out in paragraph 6 above, the Advisory Committee recommends that the available cash balances in the UNMISSET account be returned to Member States.**